

THE TRANSFER OF POWER
1942-7



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Oct 24 1946

Dear Sir,
 I have just received your letter of
 10th inst. I have to write to you and tell
 you that your decision to take away the House
 from Sir John Phipps and give it to the
 Indian people is one which will lead to great
 consequences. I have already written
 to you about Sir John Phipps and you have
 said that he would not accept
 resign from the Government. I take it that
 you will take his resignation. We are in full
 agreement with Sir John Phipps and will
 and we cannot interfere in Government
 without him.

I am writing to you immediately
 to inform you of this.

on receipt of your letter and I will
 consult my colleagues in regard to it.
 I shall be in the afternoon on the matter
 of the House's resignation. But I am
 not sure about this even as the House
 has not been officially informed yet.
 Yours,
 Pandit Nehru

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**CONSTITUTIONAL RELATIONS
BETWEEN BRITAIN AND INDIA**

**THE TRANSFER OF POWER
1942**

**Volume VIII The Interim Government
3 July—1 November 1946**

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Frontispiece

Pandit Nehru to Lord Wavell, 24 October 1946. Facsimile of Document 504

Foreword

On 9 March 1966 the Prime Minister, Mr Harold Wilson, announced in the House of Commons that the closed period for official records was to be reduced from fifty to thirty years. He stated that the Government also proposed that the range of Official Histories, which had hitherto been confined to the two great wars, should be extended to include selected periods or episodes of peacetime history and considered that there was scope for extending to other Oversea Departments the Foreign Office practice of publishing selected documents relating to external relations. The Prime Minister hoped that both of these subsidiary proposals, supplementing the reduction in the closed period to thirty years, would be acceptable in principle to the Opposition parties, who would be associated with their implementation.¹

On 10 August 1966 the Prime Minister announced that a standing inter-party group of Privy Counsellors was to be appointed to consider all such proposals² and on 8 June 1967 that its members were, for the Government and to act as Chairman, the Right Hon. Patrick Gordon Walker, Minister without Portfolio; for the Official Opposition, the Right Hon. Sir Alec Douglas-Home; and for the Liberal Party, Lord Ogmore.³

A project to publish documents from the India Office Records had been under discussion for some years and on 30 June 1967 the Prime Minister, in replying to a written question in the House of Commons, announced that the first of the new series of selected documents to be published was to relate to the Transfer of Power in India. His statement was as follows:

As I informed the House on the 9th of March 1966, the Government have decided to extend to other Oversea Departments the Foreign Office practice of publishing selected documents concerned with our external relations, subject to inter-party agreement through the Group of Privy Counsellors whose composition I announced on the 8th of June. I am happy to inform the House that the Group have agreed that in view of the great interest now being shown in historical circles in the last days of British rule in India the first selection of documents to be published under the new arrangements should be documents from the India Office records on the Transfer of Power and the events leading up to it.

The scheme will follow closely the lines of the Foreign Office series of *Documents on British Foreign Policy* from 1919 to 1939, and, as in that series, the editors will be independent historians who will be given unrestricted access to the records and freedom to select and edit documents for publication. Professor P. N. S. Mansergh, Smuts Professor of the History of the British Commonwealth at Cambridge, has expressed willingness to accept

¹ *Parl. Debs.*, 5th ser., H. of C., vol. 725, *Written Answers to Questions*, cols. 561-3.

² *Ibid.*, vol. 733, cols. 1706-7.

³ *Ibid.*, vol. 747, col. 1291.

Abbreviations

A.F.P.F.L.	Anti-Fascist People's Freedom League (Burma)
A.G.	Accountant-General
A.G.-G.	Agent to the Governor-General
A.-I.C.C.	All-India Congress Committee
A.I.R.	All-India Radio
A.L.F.S.E.A.	Allied Land Forces, South-East Asia
A.O.C.-in-C.	Air Officer Commanding-in-Chief
A.P.I.	Associated Press of India
B.B.C.	British Broadcasting Corporation
B.I.S.	British Information Services
B.L.	Bachelor of Laws
B. & O.	Bihar and Orissa
B.O.R.	British Other Ranks
B.T.	British Troops
C.A.	Constituent Assembly
C.-in-C.	Commander-in-Chief
C.C.C.	Co-ordination Committee of Council
C.G.S.	Chief of the General Staff
C.I.D.	Criminal Investigation Department
C.I.G.S.	Chief of the Imperial General Staff
C.I.O.	Central Intelligence Officer
C.M.B.	Constitution-Making Body
C. & O.	Communications and Overseas
C.O.S.	Chiefs of Staff
C.P.	Central Provinces
C.P.I.	Communist Party of India
C.R.	Commonwealth Relations
C.S.P.	Congress Socialist Party
D. of I.	Director of Intelligence
D.I.B.	Director of the Intelligence Bureau
D.I.G.	Deputy Inspector-General
D.I.R.	Defence of India Rules
D.M.I.	Director of Military Intelligence
D.M.O.	Director of Military Operations
D.P.S.V.	Deputy Private Secretary to the Viceroy



ABBREVIATIONS

E.A.	External Affairs
F.O.	Foreign Office
G.H.Q. (I.)	General Headquarters (India)
G.M.T.	Greenwich Mean Time
H.C.M.	Honourable Chief Minister
H.D.	Home Department
H.E.	His Excellency
H.E.V.	His Excellency the Viceroy
H.H.	His Highness
H.M.	His Majesty <i>or</i> Honourable Member
H.M.G.	His Majesty's Government
H.P.M.	Honourable Prime Minister
I A.	Indian Army
I & A.	Information and Arts
I A.C.	Indian Armoured Corps
I.C.S.	Indian Civil Service
I G.	Inspector-General
I G.P.	Inspector-General of Police
I L.O.	International Labour Office
I M.S.	Indian Medical Service
I.N.A.	Indian National Army
I.O.	India Office
I.P.	Indian Police
I.P.S.	Indian Political Service
I. & S.	Industries and Supplies
I.S.T.	Indian Standard Time
J.S.P.	Japanese Surrendered Personnel
K.C.I.E.	Knight Commander of the Indian Empire
L. of C.	Lines of Communication
L.S.T.	Tank Landing Ship
M.L.	Muslim [*] League
M.L.A.	Member of the Legislative Assembly
N.E.I.	Netherlands East Indies
N.-W.F.P.	North-West Frontier Province

O.R.	Other Ranks
P.M.	Prime Minister
P.S.O.	Principal Staff Officer
P.S.V.	Private Secretary to the Viceroy
P. & T.	Posts and Telegraphs
R.I.A.F.	Royal Indian Air Force
R.I.A.S.C.	Royal Indian Army Service Corps
R.I.N.	Royal Indian Navy
R.M.S.	Railway Mail Services
S.A.C.S.E.A.	Supreme Allied Commander South-East Asia
S.A.D.	Shiromani Akali Dal
S.D.O.	Sub-divisional Officer
S.E.A.C.	South-East Asia Command
S. & G.	Services and General
S.I.	Sub-Inspector (of Police)
S.P.	Superintendent of Police
S. of S. or S/S	Secretary of State
U.K.	United Kingdom
U.N.O.	United Nations Organisation
U.P.	United Press (of America) or United Provinces
U.S.A.	United States of America
U.S.S.R.	Union of Soviet Socialist Republics
V.C.I.G.S.	Vice-Chief of the Imperial General Staff
V.C.O.	Viceroy's Commissioned Officer
W. & B.	Works and Buildings
Y.E.	Your Excellency

Principal Holders of Office

UNITED KINGDOM

Prime Minister and First Lord of the Treasury, Minister of Defence	Mr Clement Attlee
Lord President of the Council and Leader of the House of Commons	Mr Herbert Morrison
Secretary of State for Foreign Affairs	Mr Ernest Bevin
Lord Privy Seal	Mr Arthur Greenwood
Chancellor of the Exchequer	Mr Hugh Dalton
President of the Board of Trade	Sir Stafford Cripps
*First Lord of the Admiralty	Mr A. V. Alexander
	Mr G. H. Hall (<i>cr.</i> Viscount 28 October 1946) (from 4 October 1946)
Lord Chancellor	Lord Jowitt
Minister without Portfolio	Mr A. V. Alexander (from 4 October 1946)
Secretary of State for the Home Department	Mr J. Chuter Ede
Secretary of State for Dominion Affairs	Viscount Addison
Secretary of State for India and Burma	Lord Pethick-Lawrence
Secretary of State for Scotland	Mr J. Westwood
Secretary of State for the Colonies	Mr G. H. Hall
	Mr Arthur Creech Jones (from 4 October 1946)
*Secretary of State for War	Mr J. J. Lawson
	Mr F. J. Bellenger (from 4 October 1946)
*Secretary of State for Air	Viscount Stansgate
	Mr P. J. Noel-Baker (from 4 October 1946)
Minister of Labour and National Service	Mr G. A. Isaacs
Minister of Fuel and Power	Mr E. Shinwell

* These posts did not carry Cabinet rank from 4 October 1946.

PRINCIPAL HOLDERS OF OFFICE

Minister of Education	Miss Ellen Wilkinson
Minister of Health	Mr Aneurin Bevan
Minister of Agriculture and Fisheries	Mr T. Williams

OTHER MINISTERS MENTIONED IN THIS VOLUME

Minister of Supply	Mr J. Wilmot
Minister of Transport	Mr Alfred Barnes
Minister of Food	Mr John Strachey
Minister of Town and Country Planning	Mr Lewis Silkin
Minister of Civil Aviation	Lord Nathan (from 4 October 1946)
Postmaster-General	Earl of Listowel
Minister of State	Mr Hector McNiel (from 4 October 1946)
Chancellor of the Duchy of Lancaster	Mr J. B. Hynd

INDIA OFFICE

Secretary of State	Lord Pethick-Lawrence
Permanent Under-Secretary	Sir David Monteath
Parliamentary Under-Secretary	Mr Arthur Henderson
Deputy Under-Secretary	Sir William Croft
Assistant Under-Secretaries	Sir Paul Patrick
	Mr G. H. Baxter
Private Secretary to the Secretary of State	Mr M. J. Clauson
	Mr R. M. J. Harris (from 23 September 1946)

INDIA

Viceroy, Governor-General and Crown Representative	Field Marshal Viscount Wavell
Private Secretary to the Viceroy	Mr G. E. B. Abell
Reforms Commissioner	Mr V. P. Menon

EXECUTIVE COUNCIL

'Caretaker Government' from 4 July to 2 September 1946

Commander-in-Chief	Field Marshal Sir Claude Auchinleck
Home and Supply	Sir Arthur Wagh
Labour, Information and Arts, Health	Sir Akbar Hydari

Law and Education	Sir George Spence
Finance	Sir Eric Coates
Food and Agriculture	Sir Robert Hutchings
War Transport, Railways, Posts and Air	Sir Eric Conran-Smith
Commerce and Commonwealth Relations	Sir Gurnath Bewoor

'Interim Government' from 2 September to 26 October 1946

External Affairs and Commonwealth Relations	Pandit Jawaharlal Nehru
Defence	Sardar Baldev Singh
Home, including Information and Broadcasting	Sardar Vallabhbhai Patel
Finance	Dr John Matthai
Communications (War Transport and Railways)	Mr M. Asaf Ali
Food and Agriculture	Dr Rajendra Prasad
Labour	Mr Jagjivan Ram
Health, Education and Arts	Sir Shafaat Ahmad Khan
Law, Posts and Air	Syed Ali Zahcer
Industries and Supplies	Mr C. Rajagopalachari
Works, Mines and Power	Mr Sarat Chandra Bose
Commerce	Mr C. H. Bhabha

Reconstituted 'Interim Government' from 26 October 1946

External Affairs and Commonwealth Relations	Pandit Jawaharlal Nehru
Defence	Sardar Baldev Singh
Home, including Information and Broadcasting	Sardar Vallabhbhai Patel
Finance	Mr Liaqat Ali Khan
Posts and Air	Mr Abdur Rab Nishtar
Food and Agriculture	Dr Rajendra Prasad
Labour	Mr Jagjivan Ram
Transport and Railways	Mr M. Asaf Ali
Industries and Supplies	Dr John Matthai
Education and Arts	Mr C. Rajagopalachari
Works, Mines and Power	Mr C. H. Bhabha
Commerce	Mr I. I. Chundrigar
Law	Mr Jogendra Nath Mandal
Health	Mr Ghazanfar Ali Khan

GOVERNORS OF PROVINCES

Madras	Lieutenant-General Sir Archibald Nye
Bombay	Sir John Colville (Sir Andrew Clow, I.C.S., acting from 21 August 1946)
Bengal	Sir Frederick Burrows
United Provinces	Sir Francis Wylie, I.C.S.
Punjab	Sir Evan Jenkins, I.C.S.
Central Provinces and Berar	Sir Henry Twynan, I.C.S. Sir Frederick Bourne, I.C.S. (from 16 September 1946)
Assam	Mr F. C. Bourne, I.C.S. (K.C.S.I. 9 August 1946) (acting) Sir Henry Knight, I.C.S. (acting from 4 September 1946)
Bihar	Sir Hugh Dow, I.C.S.
North-West Frontier Province	Sir Olaf Caroe, I.C.S.
Orissa	Sir Chandulal Trivedi, I.C.S.
Sind	Sir Francis Mudie, I.C.S.

PRIME MINISTERS (PREMIERS) OF PROVINCES

Madras	Mr T. Prakasam
Bombay	Mr B. G. Kher
Bengal	Mr H. S. Suhrawardy
United Provinces	Pandit G. B. Pant
Punjab	Lieutenant-Colonel Malik Sir Khizar Hayat Khan Tiwana
Central Provinces and Berar	Pandit R. S. Shukla
Assam	Mr Gopinath Bardoloi
Bihar	Mr Sri Krishna Sinha
North-West Frontier Province	Dr Khan Sahib
Orissa	Mr Harekrishna Mahtab
Sind	Sir Ghulam Hussain Hidayatullah

Chronological Table of Principal Events

1946

July

- 4 Caretaker Government sworn in
- 6-7 Meeting at Bombay of the newly elected All-India Congress Committee under Nehru's presidency
- Nehru declares at a Press Conference in Bombay that Congress in agreeing to enter the Constituent Assembly had made no commitment to anybody
- Wavell holds Conference with Governors of the U.P., Punjab, Bihar and C.P.
- 18 Debate on India commences in the House of Commons and House of Lords
- Wavell sends proposals to Nehru and Jinnah for formation of Interim Government
- 29 The Council of the All-India Muslim League withdraw acceptance of the Cabinet Mission's constitutional proposals and resolve to resort to Direct Action for the achievement of Pakistan
- Peace Conference of 21 allied nations opens in Paris (lasts until 15 October)
- 30 The Working Committee of the All-India Muslim League fix 16 August for observance as Direct Action Day throughout India

August

- 3 Major-General Rance appointed Governor of Burma
- 6 Wavell invites Nehru to make proposals for forming an Interim Government
- 8 Wavell holds Conference with the Governors of Bengal, U.P., Punjab, Sind and N.W.F.P.
- 13 Nehru writes to Jinnah inviting his co-operation in the formation of a Provisional National Government
- 16 The observance of Direct Action Day in Calcutta starts four days of rioting of exceptional violence
- Nehru announces at Press Conference that Jinnah had declined to co-operate in the formation of a Provisional National Government
- 24 Announcement of the names of the members of an Interim Government to take office on 2 September
- 27 Wavell, on return from a visit to Calcutta, discusses with Gandhi and Nehru the Congress attitude towards grouping

CHRONOLOGICAL TABLE OF PRINCIPAL EVENTS

September

- 1 Outbreak of communal disturbances in Bombay
- 16 Wavell opens discussions with Jinnah about the League entering
 Constituent Assembly and the Interim Government
- 18 Announcement of the appointment of Shone as the first British
 High Commissioner to India
- 25 Congress Working Committee accepts Nehru's resignation from
 Presidency of Congress but asks him to continue his duties
 until election of new President
- 26 Coalition Executive Council formed in Burma

October

- 5 and 7 Nehru and Jinnah meet at Bhopal's residence to discuss League
 entry into Interim Government
- Outbreaks of communal violence in the Noakhali and Tippera
 districts of Bengal
- 15 Announcement that the Muslim League has decided to enter the
 Interim Government
- Announcement that Kripalani is to become Congress President
 on 20 October
- 16 Nehru begins tour to the tribal areas of N.W.F.P.
- 23 1st General Assembly of the United Nations opens in New York
 (lasts until 16 December)
- 25 Outbreak of communal rioting in Bihar
- 26 Reconstituted Interim Government takes office
- 31 Wavell visits Calcutta before beginning two-day tour of some riot
 areas in Bengal

November

- Nehru, Patel, Liaquat Ali Khan and Nishtar visit Calcutta on a
 peace mission

Summary of Documents

<i>Chapter</i>	<i>Page</i>
1 <i>Negotiations Resumed.</i> Congress restatements of attitude; Muslim League alienation and withdrawal of acceptance of Statement of 16 May; Sikh uncertainties and Princely concern; 'Direct Action Day' and the 'Great Calcutta Killing'; Congress acceptance of invitation to participate in Interim Government: 3 July to 24 August 1946	xxxviii
2 <i>Interim Government in Office.</i> New approaches to the League; law and order preoccupations; the Viceroy's breakdown plan; League agreement to enter Interim Government: 26 August to 15 October 1946	lvii
3 <i>Inter-Party Government.</i> Redistribution of portfolios; League Members join Interim Government; widespread communal disturbances; administrative strains and stresses; continued deadlock on the long-term plan: 16 October to 1 November 1946	lxxxvi

SUMMARY OF DOCUMENTS

CHAPTER I

Negotiations Resumed. Congress restatements of attitude; Muslim League alienation and withdrawal of acceptance of Statement of 16 May; Sikh uncertainties and Princely concern; 'Direct Action Day' and the 'Great Calcutta Killing'; Congress acceptance of invitation to participate in Interim Government: 3 July to 24 August 1946

<i>Name and Number</i>	<i>Date</i>	<i>Main subject or subjects</i>	<i>Page</i>
	1946		
	July		
1 Jenkins to Wavell Letter C S 359	3	Views on next steps regarding formation of Interim Govt.	
2 Wavell to Azad Letter	3	Is anxious A.-I.C.C. should not pass resolutions which will make formation of coalition Govt. more difficult	
3 Gandhi to Attlee Letter	3	Letter of introduction for Sudhir Ghosh	
4 Clauson to Morris Letter	3	Sends on revised estimate of Europeans in India received from Wavell	
5 Jenkins to Wavell Letter 612	4	Encloses and comments on two letters from Baldev Singh (1) advocating a scheme for amalgamation of Punjab Sikh States, (2) requesting Sikhs be given communal safeguards in Section B of Mission's Plan, interview with Giani Kartar Singh	
6 Statement by European Party in Bengal Legislative Assembly	5	Announces intention to abstain from voting in Constituent Assembly elections	
7 Cabinet C M. (46) 65th Conclusions Minute 1	5	Consideration of immediate situation on Mission's return	
8 Cabinet Defence Committee D O (46) 21st Meeting Minute 4	5	Agreement that Chiefs of Staff might discontinue certain plans for reinforcements to cope with possible disturbances in India	
9 Fortnightly Report of Secretary to Govt. of Bombay (Home Dept.) No S D-P 41, para 2 (extract)	6	Reactions in Bombay to Mission's Statement of 16 June, to Congress rejection of its proposals, and to Mission's Statement of 26 June	
10 Wavell to Jenkins Letter 592/63	8	Refers to No 5, agrees move for block of Sikh States must come from Rulers; will speak to Party leaders about Sikh fears; sends message for Baldev Singh or Giani Kartar Singh	
11 Wavell to Petluck-Lawrence Letter	8	Caretaker Govt. sworn in, Planning and Development Dept. to be abolished; Viceroy's letter to Azad (No 2) and concern that A.-I.C.C. might make Interim Govt. negotiations more difficult; possible Congress attitude in Constituent Assembly; need for breakdown plan;	

CH. I NEGOTIATIONS RESUMED

<i>Name and Number</i>	<i>Date</i>	<i>Main subject or subjects</i>	<i>Page</i>
	<i>July</i>		
11 (cont.)		passive resistance by Indians in S. Africa; communal disturbances in Ahmedabad, Madurai and Dacca; discussions with some Governors on protection for Services	
12 Lawson to Abell Letter		Says Bengal European Party has decided not to use their votes in Constituent Assembly, asks for European seat on Advisory Committee	
13 Wavell to Colville Letter (extract)	8-9	Account of breakdown of Interim Govt negotiations	
14 Caroe to Wavell Letter G.H.-157, paras. 1-2	9	Visits of Abdul Ghaffar Khan and Nehru to Kashmir, reactions of Khan Sahib and local League members to Interim Govt negotiations	23
15 Azad to Wavell Letter		Refers to No. 2, points out that A.-I C.C. resolution will not hamper Working Committee in Interim Govt negotiations; hopes he will adopt a course which will not conflict with Congress's national character	
16 Report of Nehru's Press Conference	10	Congress position on (1) Constituent Assembly; (2) Interim Govt, (3) Goa, (4) Kashmir, (5) Indian States, (6) Sind politics	
17 Abell to Lawson Letter		Thanks for No. 12, says membership of Advisory Committee will be decided by Constituent Assembly	
18 Draft Cabinet Paper (extract)		Draft Memorandum by Pethuck-Lawrence on instructions to be given to the Viceroy regarding resumption of negotiations for an Interim Coalition Govt	
19 Note by Pethuck-Lawrence	undated	Says Turnbull should see note by Moon dated 26 June 1946, forwarded by Cripps, entitled 'Steps to be taken for formation of a Coalition Govt' (note is annexed); explains why one suggestion could not be followed	35
20 Turnbull to Croft Minute		Reviews discussions on breakdown policy by Cabinet and C.O.S.; feels they must decide policy to be followed on any break with Congress	
21 Abell to Turnbull Letter 125/54		Sends minutes of Conferences held on 11 July between Wavell, certain Governors and Officials on protection of, and compensation for, Services, on employment of members of I.N.A. in public services, and on breakdown policy	
22 Abell to Turnbull Letter 26/18		Sends extract from report by D.I.B. of his interview with C.I.O., Bihar on morale and discipline in Bihar police	

SUMMARY OF DOCUMENTS

<i>Name and Number</i>	<i>Date</i>	<i>Main subject or subjects</i>	<i>Page</i>
	<i>July</i>		
23 Wavell to Pethuck-Lawrence Tel. 149-S.C.	12	Reports outcome of Conference with certain Governors on protection of, and compensation for, Services and on breakdown policy	46
24 Pethuck-Lawrence to Wavell Letter	12	Does not find speeches of Indian leaders very encouraging; will be sending suggestions on Interim Govt. question	48
25 Menon to Turnbull Tel. 154-S.C.	13	Informs him of arrangements for holding preliminary session of Constituent Assembly, reports Sikhs have decided to participate in elections; gives details of representation Congress is providing for minorities	48
26 Wavell to Pethuck-Lawrence Letter	13	Encloses two papers (one by Chiefs of Staff (India) Committee) on consequences for Commonwealth of transfer of power in India	49
27 Bhopal to Wavell Letter	14	Is disturbed by recent statements by politicians which are in conflict with assurances given to States; points out that States' endorsement of Mission's Plan was on assumption that it would not be departed from without agreement of main parties concerned	57
28 Jenkins to Wavell Letter 614, para. 1	15	Sikh politics (particularly with reference to Constituent Assembly); Muslim anger about Interim Govt.	59
29 Burrows to Wavell Letter	15	Reports conversation with Nazimuddin on League fears and doubts regarding participation in Constituent Assembly	60
30 Pethuck-Lawrence to Wavell Tel. 13012	15	Sends interim reply to No. 23; agrees that only real protection is gentleman's agreement with Congress; asks him not to sound Ministries on S. of S.'s Services at present	62
31 Turnbull to Croft Minute	16	Ministerial discussions on reply to No. 23; Annex. draft minute from Pethuck-Lawrence to Attlee giving views on No. 23	62
32 Abell to Weightman Letter	16	Asks whether he has considered whether there are any records in External Dept. which ought to be transferred to H.M.G.	65
33 Menon to Turnbull Tel. 1463-G	16	Sends latest information on elections to Constituent Assembly	65
34 Wavell to Pethuck-Lawrence Tel. 1464-S	16	Refers to Nos. 16 and 27; sends text of reassuring Parliamentary statement which he recommends should be made	67
35 Wavell to Pethuck-Lawrence Tel. 1466-S	16	Says No. 36 was about to issue when No. 24 arrived; asks for early reply	68
36 Wavell to Pethuck-Lawrence Tel. 1467-S	16	Sends text of letter for Nehru and Jinnah making proposals for Interim Govt.	68

<i>Name and Number</i>	<i>Date</i>	<i>Main subject or subjects</i>	<i>Page</i>
	<i>July</i>		
37 Pethick-Lawrence to Wavell Tel. 13097	16	Refers to No. 23; Ministers feel that, failing gentleman's agreement with Congress, it is undesirable to prevent enquiries into conduct of individuals in 1942 through exercise of Governors' special responsibilities; suggests that in such circumstances, Commission of Enquiry should be established by Central Govt.	70
38 Turnbull to Croft Minute	17	Reports outcome of discussion between Attlee and Cabinet Mission Ministers on recruitment to, and compensation for, Indian Services	71
39 Wavell to Pethick-Lawrence Tel. 1469-S	17	Refers to Nos. 34 and 40; considers firm statement necessary to bring League into Constituent Assembly and Interim Govt.	72
40 Wavell to Pethick-Lawrence Tel. 1470-S	17	Repeats text of passages in <i>Dawn</i> demanding clear statement from H.M.G. on working of Constituent Assembly	72
41 Pethick-Lawrence to Wavell Tel. 13175	17	Thanks for No. 34, refers to text of remarks proposed in No. 42	73
42 Pethick-Lawrence to Wavell Tel. 13176	17	Sends text of remarks to be made in Parliament giving H.M.G.'s reactions to reports of attitudes of Indian Parties in joining Constituent Assembly	73
43 Mayne to Simpson Letter, A.G.O.M.M. 490	17	Sends extract from letter by Auchinleck in which he says he considers it unlikely that there will be outbreaks of violence specifically against Europeans and does not consider British reinforcements will be needed in next six months	74
44 Godfrey to Abell Letter	17	Encloses letter from Bourne to Burrows giving account of proceedings relating to election of Assam representatives to Constituent Assembly	76
45 Cabinet C.M. (46) 69th Conclusions Minute 3	18	Approval of Wavell's approach in No. 36	79
46 Wavell to Pethick-Lawrence Tel. 1484-S	18	Refers to No. 37; feels that there can be no question of any kind of general enquiry in connection with 1942 disturbances; asks why proposal to consult Provincial Ministries was rejected; restresses importance of breakdown policy decision	
47 Jenkins to Wavell Tel. 60-G	18	Informs him of background to Sikh decision to withdraw nominations to Constituent Assembly; asks whether by-elections can be held for Sikh vacancies	
48 Pethick-Lawrence to Wavell Tel. 13266	18	Gives his views on paras. 4 and 6 of No. 36	

	<i>Name and Number</i>	<i>Date</i>	<i>Main subject or subjects</i>	<i>Page</i>
		<i>July</i>		
49	Pethick-Lawrence to Wavell Tel 13267		Agrees generally with approach in No. 36 but suggests instead of writing to Jinnah and Nehru, Viceroy should negotiate with them in person; emphasises that if Jinnah refuses to accept Congress Muslim, they must proceed without League	82
50	Minute by Turnbull		Asks for departmental advice on (1) legality of an Indian Central Commission to deal with allegations against individual Civil Servants, (2) whether allegations are confined to S of S's Services	83
51	Wavell to Pethick-Lawrence Tel 1505-S		Refers to No 47, recommends question of by-elections for Sikh seats is left for Constituent Assembly to decide, suggests they issue statement	84
52	Wavell to Pethick-Lawrence Tel 1504-S		Refers to No 49, explains why he prefers to make his approaches to Jinnah and Nehru in writing	85
53	Wavell to Burrows Letter 592/58		Refers to No 29; believes Parliamentary statement will reassure League, gives account of controversy with Jinnah over para. 8 of Statement of 16 June	86
54	Wavell to Pethick-Lawrence Letter		Postal strikes, Parliamentary debates, restarting Interim Govt. negotiations; Bhopal's fears about Constituent Assembly (No. 27), protection for Services; Council's discussion of development plans, Palestine; A I C C session at Bombay, Sikhs' decision to withdraw from Constituent Assembly and Nehru's advice on subject; problems with Sind and Punjab Ministries; priority passage for Ghosh	87
55	Pethick-Lawrence to Wavell Letter		Refers to No 11, Parliamentary debates, formation of Interim Govt; elections to Constituent Assembly; protection of Services	90
56	Wavell to Pethick-Lawrence Tel. 1507-S		Summarises Congress's and League's reactions to Parliamentary debates	92
57	Wavell to Pethick-Lawrence Tel. 1516-S		Refers to No 51; now recommends Jenkins is authorised to invite Sikhs to elect representatives to Constituent Assembly, repeats Jenkins's views	93
58	Pethick-Lawrence to Wavell Tel 13379		Refers to No 51; prefers modification to rules to provide for Sikh election to Constituent Assembly; very important to get Sikhs in	94
59	Rajagopalcharan to Pethick-Lawrence Letter		Suggests addition to Mission's Plan to give Provinces more control over the making of their own constitutions	95
60	Pethick-Lawrence to Attlee Minute 36/46		Alexander and he feel they should concur in Wavell's approach in No. 52	96

<i>Name and Number</i>	<i>Date</i>	<i>Main subject or subjects</i>	<i>Page</i>
	<i>July</i>		
61 Wavell to Bhopal Letter		Refers to No. 27, hopes Pethuck- ence's remarks in will reassure	96
62 Pethuck-Lawrence to Wavell Tel. 13422	21	Refers to No. 52, agrees to letter to Nehru and Jinnah as in No. 36 subject to certain modifications	97
63 Wavell to Nehru and Jinnah Letter	22	Makes proposals for formation of Interim Govt. of 14 Members (6 nominated by Congress, 5 by League, 3 from Minorities by Viceroy) and indicates basis on which it would fix	98
64 Attlee to Wavell Letter	22	Puts idea to him of the appointment of someone well versed in politics who could act as an intermediary between him and Indian politicians	
65 Dow to Wavell Letter 203-G B, paras 2-3	22	Gives account of how Legislative Assembly resolution relating to enquiry into Services in connection with 1942 distur- bances was modified	101
66 Azad to Cripps Letter	22	Explains Congress indignation at way Interim Govt. negotiations were conduct- ed, stresses importance of early formation of Interim Govt.	102
67 Note by Wavell	22	Interview with Nehru on: (1) Sikh elections to Constituent Assembly; (2) Nehru's further visit to Kashmir, (3) general enquiry into Services; (4) proroga- tion of Sind Assembly, (5) points con- cerning Constituent Assembly	104
68 Pethuck-Lawrence to Wavell Tel. 13485	23	Repeats text of letter from Jinnah to Attlee in which Jinnah says he feels that Mission's and Viceroy's conduct of negotiations have impaired honour of British Govt. and hopes H.M.G. will avoid compelling Muslims to resort to violence	106
69 Wavell to Pethuck-Lawrence Letter	23	Press reactions to Parliamentary debates, Viceroy's talk with Nehru particularly on Nehru's forthcoming visit to Kashmir and protection of Services, consultation with Ministries on retention of S. of S.'s Services; strikes in Posts and Telegraphs Dept.; Jinnah's objection to appointment of Mirza Ismail as President of Council in Hyderabad; Khuzar to represent India at Peace Conference; strengthening of Viceroy's Staff; India-Ceylon relations; position on British High Commissioner	
70 Attlee to Jinnah Letter	23	Refers to letter in No. 68; cannot accept his description of Congress attitude; appeals to him to use his influence in India's cause and to assist in formation of Interim Govt.	

<i>Name and Number</i>	<i>Date</i>	<i>Main subject or subjects</i>	<i>Page</i>
	<i>July</i>		
71 Nehru to Wavell Letter	23	Is unable to co-operate in Interim Govt. proposed in No. 63; feels status and powers of Interim Govt. must be settled before a satisfactory approach can be made	112
72 Attlee to Pethick-Lawrence Minute M. 243/46	23	Asks him to take up with G. of I. discrepancy in estimates of number of Europeans in India	113
73 Wavell to Pethick-Lawrence Tel. 1548-S	24	Refers to No. 71; fears it reflects an aggressive line of action by Congress; proposes to interview Nehru to elaborate certain points, indicates frank approach he would adopt in the talk in case it was clear Congress intended to challenge H.M.G.	114
74 Pethick-Lawrence to Wavell Tel. 13667	24	Informs him of gist of letter from Baldev Singh to Attlee complaining of treatment of Sikhs under Mission's Plan; sends text of draft reply which reiterates assurances given to Sikhs by Mission and Jenkins but emphasises that Statement of 16 May cannot be altered; asks for his comments	116
75 Wavell to Burrows Letter 40/3 (extract)	24	Congress intentions regarding procedure over Sections in Constituent Assembly	117
76 Wavell to Pethick-Lawrence Tel. 1549-S	25	Reports U.P. Ministry's proposals for investigations into specific complaints against individual members of Services	118
77 Cabinet India and Burma Committee Paper I.B. (46) 26	25	Memorandum by Pethick-Lawrence on recruitment for the Indian Civil Service and the Indian Police	119
78 Pethick-Lawrence to Attlee Minute 38/46	26	Explains why he feels reply to No. 73 should not suggest Viceroy cancels interview with Nehru	123
79 Pethick-Lawrence to Wavell Tel. 13792	26	Refers to No. 73; stresses importance Ministers attach to there being no breach with Congress before meeting of Constituent Assembly; does not favour close questioning of Nehru on No. 71 and suggests lines for a more general exchange of view; does not accept assumption of inevitable Congress challenge to H.M.G., mentions possibility of London discussions with Congress and League representatives if situation worsens	123
80 Twynam to Wavell Letter R-24/G.C.P., para. 5	27	Considers it is right to wind up S. of S.'s Services except in those Provinces where their retention is desired	126
81 Wavell to Pethick-Lawrence Tel. 1564-S	28	Refers to No. 79; Wavell also concerned to avoid break with Congress but stresses importance of firmness; seeks reassurance on Constituent Assembly	126

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81 (cont.)		procedure; is doubtful of outcome of discussion with Nehru on Interim Govt.; re-emphasises need for breakdown policy because of possibility of direct challenge by Congress	
82 Brief by Abell and Minutes by Abell and Wavell	28-9	Points for Wavell's interview with Nehru; suggestion by Menon (which Wavell does not favour at that time) that they tell Gandhi of their offer and Nehru's reaction	128
83 Wavell to Pethuck-Lawrence Tel. 1573-S	29	Nehru indicates wish in discussions to dissociate Viceroy from procedure for summoning Constituent Assembly; feels he must issue invitations and Assembly elect provisional Chairman	130
84 Intercept by Intelligence Bureau, Home Dept. and Minute by Wavell	29	In letter of 22 July to Khan Sahib, Nehru asks Congress Premiers to approach Speakers of Legislative Assemblies with view to Speakers issuing credentials to delegates to Constituent Assembly	
85 Bhopal to Wavell Letter	29	Refers to No 61; asks to be informed of extent of assistance States could expect from H.M.G. if terms offered in Constituent Assembly are unacceptable; seeks extension of majority voting requirement to major issues affecting States	132
86 Text of two Resolutions passed by All-India Muslim League Council at Bombay	29	(1) Withdraws League's acceptance of Statement of 16 May; (2) declares time has come for Muslim Nation to resort to Direct Action, calls on Muslims to renounce titles	135
87 Wavell to Caroe Letter 40/9, para. 4	29	Regrets fact that League has passed resolutions in No. 86	
88 Pethuck-Lawrence to Wavell Letter	29	Refers to No 54, Parliamentary debates on India, Wavell's latest interview with Nehru; recruitment to, and compensation for, S. of S.'s officers; pleased at reasonable attitude of Congress Ministries on protection of Services; Sikh attitude to Constituent Assembly; scientific research; conversation with Khizar on Punjab anxieties; Polak's suggestion for Commonwealth machinery to handle differences between members; discrepancy in G. of I's estimates of number of Europeans in India; appointment of Rance as Governor of Burma; League resolutions (No. 86)	139
89 Puckle to Joycē Letter (extract)	29	Satisfactory reception in U.S. for work of Cabinet Mission; no general interest in Western U.S. in Indian questions	142

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	July		
90 Pethick-Lawrence to Wavell Tel 14035	30	Asks for appreciation on League resolutions (No. 86)	143
91 Note by Wavell	30	Account of interview with Nehru on. Nehru's visit to Kashmir, League resolutions (No. 86) and League's fear of Congress attitude towards Groups; legal interpretation of Statement of 16 May, Constituent Assembly position in light of League's decision, Wavell's concern over formation of Interim Govt; reinstatement of I.N.A. men in Army	144
92 Wavell to Governors Letter 1252/2	30	Encloses intercept of letter from Nehru to Khan Sahib giving account of discussions with Wavell on Services and advising Khan Sahib to seek retirement of any Officer against whom there was prima facie case of extreme misconduct or corruption, in covering letter Wavell denies he went as far in discussions as Nehru implies	146
93 Notes by Wavell and Abell	30 July- 1 Aug	Wavell's initial reaction to League resolutions is to favour London discussions between H.M.G. (and possibly Opposition), League and Congress representatives and possibly a Sikh, feels Constituent Assembly can only decide Constitution for Group 'A' and not for Centre	148
94 Cabinet India and Burma Committee I.B. (46) 3rd Meeting Minutes 1-3, 5	31	Political situation in India following League resolutions; recruitment for the I.C.S. and I.P.; proposed Compensation Scheme for Officers of Indian Services appointed by S. of S.; protection of Services in India	149
95 Wavell to Pethick-Lawrence Tel 1582-S	31	Sends amendment suggested by Jenkins to reply in No. 74	153
96 Wavell to Pethick-Lawrence Tel 1583-S	31	Refers to No. 90; recommends forming Interim Govt. with Congress and leaving League seats vacant, warns they may be forced into Section 93 in Congress Provinces, considers they should summon Constituent Assembly as arranged	154
97 Jinnah to Wavell Letter	31	Refers to No. 63; criticises latest Interim Govt. proposals as yet more favourable to Congress; considers there is no chance of acceptance by League Working Committee	156
98 Wavell to Pethick-Lawrence Letter	31	Refers to No. 55; likely effect of League boycott of Constituent Assembly, Jenkins to ascertain whether Sikhs wish to participate in Constituent Assembly; Viceroy's interview with Nehru (No. 91); intention	158

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98 (cont.)		to bomb some Mahsud villages; Bhopal's request for clarification of H.M.G.'s intentions (No. 85); Congress's and Gandhi's concern with Goa and French possessions; Posts and Telegraphs strikes	
99 Abell to Turnbull Letter	31	Draws attention to para. in letter of Wylie's dated 27 July (relevant para. reprinted as Enclosure) which expresses concern at deteriorating situation and argues they must decide policy they intend to follow	160
100 Pethuck-Lawrence to Wavell Tel. 14078	31	H.M.G. wish him to press Jinnah to permit League participation in Interim Govt.; explains that such participation would now require Congress's approval	162
101 Cabinet Paper C P. (46) 315	31	Memorandum by Pethuck-Lawrence recommending that, if necessary, they proceed to form Interim Govt. and convene Constituent Assembly without League	163
	<i>August</i>		
102 Wavell to Attlee Letter	1	Refers to No. 64; does not feel need of an intermediary when dealing with Indian leaders, appreciates H.M.G. might wish to make a change of Viceroy	166
103 Wavell to Pethuck-Lawrence Tel 1587-S	1	Refers to Nos. 96 and 100, explains why he does not favour seeing Jinnah immediately	168
104 Cabinet C M. (46) 76th Conclusions Minute 8	1	Consideration of Nos. 101 and 103	169
105 Attlee to Ambedkar Letter	1	Explains why he does not feel Mission were unjust to Scheduled Castes; is unwilling to issue Declaration that Scheduled Castes should be represented on Advisory Committee, no hope that there will be two Federation representatives in Interim Govt.	170
106 Menon to Turnbull Letter	1	Refers to Enclosure to No. 44, sends extracts from letter from Nehru to Bardoloi commenting on Assam Assembly's resolution on Grouping	172
107 Pethuck-Lawrence to Wavell Tel. 14185	1	Refers to No. 46; agrees any enquiry must be limited to individual cases; would find it difficult to justify paying full compensation to Officers who retired because unacceptable to Congress; explains why he did not favour approaching Ministries	173
108 Minutes by Scott and Wavell TP VIII	1-2 d	Scott reports interview between Reid and d	174

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108 (cont)		Jinnah during which Jinnah complained he was bullied by Mission on 25 June and it emerged League had not worked out what they would do next apart from a Muslim <i>hartal</i> on 16 August, Wavell feels Pethuck-Lawrence's treatment of Jinnah on 25 June is cause of League's present attitude	
109 Pethuck-Lawrence to Wavell Tel 14186	2	Informing him H.M.G. wish to cease recruitment of Europeans to S. of S.'s Services forthwith, seeks his and Provincial Govts' views	175
110 Pethuck-Lawrence to Wavell Tel 14197	2	Refers to Nos 96 and 103, Cabinet agree he should not see Jinnah at once; they feel Wavell must continue to seek Congress participation in Interim Govt. and should summon Constituent Assembly as arranged, Cabinet do not wish to commit themselves to possibility of Official Govt. at Centre with Section 93 in Provinces	176
111 Pethuck-Lawrence to Wav Letter	2	Explains Cabinet readily agreed Wavell should not specially seek out Jinnah but Pethuck-Lawrence feels they must not miss any occasion when Jinnah may show more friendly reaction	177
112 Pethuck-Lawrence to Wavell Tel 14259	3	Agrees with course proposed in No 83, if League attends, feels it desirable Nehru and Jinnah agree provisional Chairman in advance, presumes invitations will be signed by Secretary to Constituent Assembly	178
113 Wavell to Pethuck-Lawrence Tel 1605-P	3	Sends draft reply to No 85 which (1) regrets H.M.G. cannot consider hypothetical question posed; (2) explains why a prior assurance on majority voting by States' representatives on issues affecting States would be against H.M.G.'s policy to States	178
114 Jenkins to Wavell Letter 620	3	Believes effect of League resolutions has been to draw Sikhs closer to Congress	179
115 Note by Menon	undated	Agrees they should proceed to form Interim Govt. with Congress; feels Wavell should suggest to Congress that they enter into coalition with League; considers Auchinleck should remain War Member if League do not come in	180
116 Note of Proceedings of Special Meeting of Executive Council	4	General agreement with idea of inviting Nehru to submit proposals for formation of Interim Govt.; position on summoning of Constituent Assembly	182

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117 Wavell to Pethuck-Lawrence Tel. 1609-S	4	Is grateful for No. 110; feels it would be better tactics to ask Nehru to make proposals for an Interim Govt.	187
118 Wavell to Pethuck-Lawrence Tel. 1610-S	4	Sends text of letter to Nehru which invites him to submit proposals for formation of Interim Govt ; stresses value of Coalition but says it is for Nehru to decide whether to consult Jinnah, states that copy of letter is being sent to Gandhi	18
119 Colville to Wavell Report 67, para 14	4	Believes League Resolutions are part of deeply laid plan to obtain Pakistan out of dispute between Congress and H.M.G., considers Congress movement could be coped with in Bombay but that this would become more difficult as time goes on	189
120 Pethick-Lawrence to Wavell Tel 14335	5	Approves draft in No. 118 with two small amendments, feels Jinnah should be told he can communicate No 63 to League Working Committee	190
Wavell to Pethuck-Lawrence Tel. 1619-S	5	Passes on information he has received that Patel would insist on Congress forming an Interim Govt if they were asked to do so, but would not agree to scheme in No 63 or one which left places vacant for League	190
122 Jengar to Abell Letter	5	Reports interviews with Nehru and Patel who felt strongly Constituent Assembly meeting should not be postponed, Liaquat favours two separate Constituent Assemblies	191
123 Wavell to Governors Tel 1628-S	6	Sends text of his letter to Nehru; warns of possibility of Muslim disturbances, indicates measures they might take	192
124 Wavell to Gandhi Letter	6	Encloses copy of his letter to Nehru, hopes Gandhi will use his influence to secure acceptance of proposal	193
125 Wavell to Pethuck-Lawrence Letter	6	Refers to No. 88, latest moves on Interim Govt question; Viceroy's forthcoming Conference with certain Governors to consider Muslim reactions to League resolutions and activities of Naram and Congress Socialists; recruitment to, and compensation for, S. of S.'s Services; question whether India would have appealed to a Commonwealth authority over S. Africa, difficulty of accurately estimating number of Europeans in India; information received that Ghosh had no mission from Congress or Gandhi for his visit to London; Muslim reactions to	193

SUMMARY OF DOCUMENTS

<i>Name and Number</i>	<i>Date</i> <i>August</i>	<i>Main subject or subjects</i>	<i>Page</i>
125 (cont.)		Palestine announcement; Khuzar's return required; personnel for Peace Conference	
126 Pethick-Lawrence to Wavell Letter	6	Refers to No. 69; Wavell's letter to Nehru, Attlee asks Ministers to take as much rest as possible; Bhopal persuaded to postpone visit to U.K.; consultation with Ministries on S. of S.'s Services; Indian strikes, appointment of Mirza Ismail as President of Council of Hyderabad, appointment of Godbole to Viceroy's Staff	196
127 Minutes by Abell and Wavell	7	Comments on suggestion that they should propose a postponement of the Constituent Assembly to Congress	
128 Waugh to Abell Letter	7	Reports conversation with Liaqat in which he emphasised that fear of Congress's intentions lay behind League decision to withdraw from Constituent Assembly	198
129 Gandhi to Wavell Letter	7	Refers to No. 124; says he will do the best he knows	
130 Wylie to Wavell Letter U.P.-33, paras. 2-5, 9-10	7	Provincial administration strong and confident when handed over by Hallett, marked deterioration in morale of European Services recently, bulk of Indian Officers sound but some infected by nationalist views, need of Services for definite lead; truculent mood of Muslims, suggestion of announcement on H.M.G.'s intention to maintain order	
131 Wavell to Jinnah Letter	8	Refers to No. 97, informs him of invitation to Congress, hopes Jinnah would respond to reasonable offer from Congress of a coalition	
132 Minutes of Conference with Governors of Bengal, U.P., Punjab, Sind and N.-W.F.P.	8	Political and internal security situation following League resolutions, activities of Narain; Service questions	
133 Wavell to Pethick-Lawrence Tel 1651-S, paras. 4-5	9	Argues they must formulate clear policy for situation that would arise if Congress in Interim Govt or Constituent Assembly wished to by-pass Muslims; commends his breakdown plan (Vol. VII, No. 407)	
134 Note by Mudie	undated	Conversations with Khuhro and Ghulam Hussain on background to passing of League resolutions; they express view that League would co-operate again if: (1) H.M.G. stated it would insist on Grouping and (2) only League Muslims were included in Interim Govt.; 'Direct Action' would be aimed not so much at British as Hindus	

CH. I NEGOTIATIONS RESUMED

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	<i>August</i>		
135 Minutes by Scott, Abell and Wavell	9-10	Refers to No. 134; question of strengthening assurance to League on H.M.G.'s attitude on Grouping	214
136 Twynam to Wavell Letter R-26/G.C.P. (extract)	10	Explains that communiqués issued in 1942 had led Services to believe there was now no possibility of enquiries into individual conduct at that time; thinks there is much in Nehru's suggestion of returning prematurely Officers concerned with disturbances	215
137 Congress Working Committee Resolution	10	Refers to No. 86; calls on League and others concerned to join in a co-operative effort, explains that Congress accepted long-term scheme in its entirety subject to resolution of inconsistency in it	217
138 Nehru to Wavell Letter	10	Accepts his invitation to form provisional national government; feels it best for Wavell to make announcement to this effect, will then approach League	218
139 Wavell to Pethuck-Lawrence Tel 1658-S	11	Refers to No. 109; informs him of Council's decision to cease recruitment of both Indians and Europeans to S. of S.'s Services at once and to establish central service for war vacancies	219
140 Wavell to Pethuck-Lawrence Tel 1660-S	11	Sends draft of reply to No. 138 which includes text of announcement on Viceroy's invitation to Nehru to make proposals for formation of Interim Govt.	220
141 Pethuck-Lawrence to Wavell Tel. 113	12	Informs him Shone has accepted appointment as U.K. High Commissioner to India	220
142 Ambedkar to Attlee Letter	12	Refers to No. 105; is unable to accept view that majority of Scheduled Castes are with Congress; claims Attlee has incorrectly understood Federation's showing at elections, repeats request for declaration on minority status of Scheduled Castes	221
143 Minutes by Croft and Monteath	12-13	Critical reactions to Enclosure I to No. 26	223
144 Burgess to Abell Tel. 950-GS	13	Nehru agrees to Wavell's proposed announcement on Interim Govt. and suggests they meet on 16 or 17 August	225
145 Cabinet Chiefs of Staff Committee C.O.S. (46) 125th Meeting Minute 3, Confidential Annex	13	Assessment by Auchinleck of risk of disturbances and reliability of Indian Armed Forces	225
146 Wavell to Pethick-Lawrence Letter	13	Refers to Nos. 112 and 126, announcement on Interim Govt.; Jinnah's likely reaction; Conference with certain Governors on law and order questions (No. 133), labour difficulties; Sikh attitude to Constituent Assembly uncertain; agrees	

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146 (cont.)		invitations to Constituent Assembly should be signed by Secretary; proposes to discuss postponement of Constituent Assembly meeting with Nehru; Congress interest in use of Indian troops in Iraq, Mudie's difficulties with certain Ministers, Bombay Ministry bans I.N.A. men in police	
147 Pethick-Lawrence to Wavell Letter	13	Refers to No. 98, Congress leaders appear to be taking generous attitude to League, Wavell's Conference with certain Governors, law and order question, aircraft for bombing Mahsud villages, Auchinleck's visit, Bhopal's latest letter (No. 85), Congress interest in Portuguese and French possessions in India; ending of Posts and Telegraphs strike, alternative employment for S. of S.'s officers; concern over Enclosure to No. 44, idea of Sections dividing into sub-Committees of individual Provincial representatives to work out details of those Provinces' constitutions	
148 Cabinet Paper C P (46) 324	14	Memorandum by Pethick-Lawrence on recruitment to I C S and I P annexing draft announcement stating it had been decided not to proceed with appointments to war service vacancies	233
149 Cabinet C M (46) 78th Conclusions Minute 4	14	Consideration of No. 148, agreement to issue of announcement on recruitment with a modification in the drafting	
150 Abell to Clauson Tel 1683-S	14	Reports Congress reactions to latest move are favourable but there are no signs of compromise by League	236
151 Attlee to Gandhi Letter	14	Thanks for No. 3, much enjoyed his conversation with Sudhir Ghosh, hopes complete settlement between India and U K will be attained	236
152 Pethick-Lawrence to Wavell Tel 14867	14	Refers to No. 113, concurs in proposed reply to No. 85 subject to certain comments	
153 Press release by India Office	undated	Text of correspondence between Nehru and Jinnah on question of League participation in Interim Govt.	237
154 Burrows to Pethick-Lawrence Tel 192	16	Reports that fairly complete <i>hartal</i> is being observed in Calcutta and that there have been widespread communal clashes in city; military has been asked to keep certain roads open; fears they have not passed worst	239
155 Jenkins to Wavell Tel. 75-G	16	Reports conversation with Baldev Singh in which Baldev Singh pressed for early	

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155 (cont.)		by-election for Sikh representatives to Constituent Assembly in light of Panthic Board's latest decision to participate; considers it would be sound to hold by-election	
156 Abell to Menon Letter 592/63	16	With reference to possibility that Nehru may suggest inclusion of Sikh in Interim Govt., he asks whether they should require a formal acceptance of Statement of 16 May from Sikhs	
157 Menon to Abell Letter 305/46-S	16	Refers to No. 156; considers Panthic Board resolution (Enclosure to No. 158), when forwarded to Wavell, would be sufficient to qualify Sikhs for inclusion in Interim Govt.	
158 Baldev Singh to Abell Letter	17	Forwards copy of resolution passed by Panthic Board on 14 August reversing decision to boycott Constituent Assembly	
159 Burrows to Wavell Tel. 191	17	Refers to No. 154; reports situation deteriorated in Calcutta previous night with heavy casualties from stabbing and communal rioting	
160 Wavell to Pethuck-Lawrence Tel. 1709-S	17	Refers to No. 107, could not agree that Officers who retired prematurely because unacceptable to Congress should not receive full compensation; gives reasons	
161 Burrows to Wavell Tel. 194	17	Reports that situation in Calcutta had further deteriorated in afternoon, outlines measures being taken; is to discuss idea of getting leaders to make joint appeal	
162 Wylie to Wavell Letter U.P.-39, para 6	17	League 'direct action' celebrations pass off quietly; Begum Aizaz Rasul indicates dismay at League resolution, reluctance to renounce titles; ineffectiveness of present local League leadership	246
163 Bhopal to Wavell Letter	17	Warns of serious situation which would occur if Congress alone formed Interim Govt., would abdicate in these circumstances	
164 Wavell to Pethick-Lawrence Tel. 1713-S	18	Reports interview with Nehru on 17 August at which Nehru gave account of his discussion with Jinnah; also reports gist of Nehru's proposals on Interim Govt. and his view on date of Constituent Assembly meeting	248
165 Minutes by Scott and Wavell	18	Reports conversation with Qazi Isa and Ispahani on possible terms for Jinnah's entry into Interim Govt.; Wavell minutes it had been decided he would propose to Nehru that he (Wavell) should see Jinnah and make final effort to get him in	249

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166 Note by Wavell		Expresses concern at Nehru's nominations for Muslim seats in Interim Govt.; feels it would be better to leave Muslim seats vacant; thanks Baldev Singh best proposition as War Member	251
167 Abell to Wavell Minute	18	Reports Menon's views on (1) line to take with Nehru on further approach to Jinnah; (2) advisability of filling Muslim seats; (3) suggestion of Ismail, or failing him Baldev Singh, as War Member	
168 Note by Wavell	18	Account of interview with Nehru on (1) question of further approach to Jinnah on Interim Govt.; (2) Nehru's Muslim and Parsee nominations	253
169 Burrows to Wavell Tel. 197	18	Is unable to report any substantial improvement in riot situation, hopes, with the arrival of additional troops, to end mob violence early in week	
170 Wavell to Abell Minute	18	Suspects Jinnah put Bhopal up to writing No 163	255
171 Wavell to Pethick-Lawrence Tel. 1720-S	19	Reports further conversation with Nehru and Nehru's provisional nominations to Interim Govt; is unhappy about Muslim nominations and proposes to tell Nehru he will recommend only one non-League Muslim to H.M.G; Gwyer's views; warns of possible crisis in immediate future	256
172 Menon to Abell Letter	19	Refers to No 171; explains why he does not favour policy of leaving Muslim seats vacant	
173 Nehru to Wavell Letter	19	Has consulted colleagues who, like him, are quite unable to agree to suggestion that Wavell makes a further approach to Jinnah which would put an end to responsibility they had undertaken	258
174 Wavell to Nehru Letter	19	Thanks for No. 173; agrees that in present circumstances it would be no use sending for Jinnah	259
175 Wavell to Bhopal Letter 592/45	19	Refers to No. 85; regrets H.M.G. cannot consider hypothetical question posed; explains why a prior assurance on majority voting by States' representatives on issues affecting States would be against H.M.G.'s policy to States	
176 Note by Wavell	19	Account of conversation with Azad on (1) Calcutta riots; (2) Wavell's reluctance to include more than one non-League Muslim in Interim Govt.; (3) possible indirect contact with Jinnah; (4) reference to Viceroy's veto in Nehru's conversation	

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176 (cont.)		with Jinnah; (5) question of by-elections to Constituent Assembly	
177 Pethick-Lawrence to Wavell Letter	19	Refers to No. 125, paras 1-2; explains why H.M.G. does not feel able to draw up an 'ultimate' breakdown policy; discusses issues on which differences may arise with Congress; policy towards Naram	263
178 Pethick-Lawrence to Wavell Letter	19	Refers to No. 125, discontinuance of war service recruitment to S. of S.'s Services; examination of compensation proposals for S. of S.'s Services; number of Europeans in India, Auchinleck's visit to U.K.	265
179 Burrows to Wavell Tel. 202	19	Reports that situation is generally quiet all over Calcutta and there have been no major disturbances that day	267
180 Pethick-Lawrence to Wavell Tel. 15228	19	Refers to No. 171, leaves question of seeing Jinnah to Viceroy's discretion; agrees Muslim seats should not be filled by 'stooges', asks from whose quota non-League Muslim is to come	267
181 Pethick-Lawrence to Wavell Tel. 121	19	Agrees on value of announcement of imminent appointment of U.K. High Commissioner; sends text of such a Press Note, appointment of Symon as Deputy High Commissioner	
182 Nehru to Wavell Letter	20	Submits list of 14 names for Interim Govt with a further Muslim name to follow later; says that if Council of 14 only is intended, Anglo-Indian would have to be omitted	269
183 Rau to Abell Letter	20	Refers to suggestion that Provincial Constitutions be worked out by sub-committees, proposes to include suggestion in pamphlet he is preparing on procedure	270
184 Attlee to Wavell Letter	20	Thanks for No. 102; had no idea of indicating that he saw only officials or that they were hidebound, thinks there is just a chance Calcutta riots may induce a sense of reality, is still hopeful of success	
185 Wavell to Pethick-Lawrence Tel. 1736-S	21	Comments on Nehru's nominations to Interim Govt; will refuse to accept Fazlul Huq; intends to have Council of 14	272
186 Wavell to Bhopal Letter 681/17	21	Refers to No. 163; regrets present situation but has no option except to discuss formation of Interim Govt. with Congress; thinks it is Bhopal's duty to remain in his present position	273
187 Wavell to Pethick-Lawrence Letter	21	Refers to Nos. 88 and 147; Calcutta riots; Congress urge Burrows to dismiss	273

Name and Number	Date	Main subject or subjects	
187 (cont.)	<i>August</i>	Bengal Ministry; dissatisfied with Nehru's Muslim nominations for Interim Govt.; his strong pressure on Nehru to agree to final attempt to persuade Jinnah to join Interim Govt. (No. 168); bitterness of Muslim feeling; number of Europeans in India; Rungnadhian, Mudaliar's attendance at UNESCO session, release of Bengal terrorists; poor prospects of alternative employment for S of S's Officers, idea of Provincial Constitutions being drawn up by sub-committees of Provincial representatives, appointment of Shone and Symon, Enclosure. cutting from <i>Dawn</i> giving Jinnah's remarks on his meeting with Nehru	
188 Porter to Monteath Tel. 1742-S	22	Asks whether India Office wishes to receive records they are thinning out, some files relate to Congress personalities	277
189 G. D. Birla to Cripps Letter	22	Encloses copy of letter to Henderson on Bengal situation, Burrows not to be condemned for way riots were handled, considers Section 93 should be applied in Bengal, India, in general, is quiet and normal	278
190 Note by Wavell	22	Account of further discussion with Nehru in which Wavell agreed to his nominations to Interim Govt (with exception of Bose and Anthony on whom position remained undecided), preliminary discussion on allocation of portfolios and timing of announcement; indirect contact with Jinnah	281
191 Wavell to Nehru Letter	22	Has no objection to inclusion of Anthony in Interim Govt if Council can be kept down to 14, emphasises paramount importance of leaving no stone unturned to get League in	284
192 Nehru to Wavell Letter	22	Is sorry for his decision in No. 191 as they will be unable to include Anthony; outlines Congress's ideas on nature of Provisional Govt. and expresses their dislike of any suggestion that it is a casual and temporary Govt. waiting for favour of the League	285
193 Nehru to Wavell Letter	22	Explains why his colleagues favour early announcement on Interim Govt.	287
194 Horace Alexander to Pethuck- Lawrence Letter	22	Reflections on Calcutta riots, concern at delay in calling in Army; stresses ultimate British responsibility for maintenance of law and order	287

<i>Name and Number</i>	<i>Date</i>	<i>Main subject or subjects</i>	<i>Page</i>
	<i>August</i>		
195 Note by Wavell	23	Account of interview with Nehru on. (1) points raised in No. 192; (2) date of announcement on Interim Govt. and date of swearing-in; (3) machinery for planning, (4) portfolios, (5) Constituent Assembly matters	290
196 Wavell to Pethuck-Lawrence Tel. 1761-S	23	Sends text of communiqué on establish- ment of Interim Govt.	292
197 Burrows to Pethuck-Lawrence Letter	23	Sends copy of his full report to Wavell on Calcutta and Howrah disturbances	293
198 Bourne to Wavell Letter 232, para 7	23	Reports that League's 'Direct Action Day' passed off quietly everywhere except in Sylhet; outlines measures taken in Sylhet	305
199 Text of Wavell's Broadcast	24	Explains why Interim Govt. has been formed in the way it has; reaffirms invitation to League to hold five seats in Govt., assures League procedure for Constituent Assembly in Statement of 16 May will be faithfully adhered to	306
200 Anthony to Attlee Tel. (unnumbered)	24	Appeals to him to prevent continuing injustice to Anglo-Indian community, claims Viceroy and H.M.G. are destroying his community's position; instances exclusion of Anglo-Indian from Interim Govt	308

CHAPTER 2

Interim Government in Office. New approaches to the League; law and order preoccupations; the Viceroy's breakdown plan; League agreement to enter Interim Government: 26 August to 15 October 1946

<i>Name and Number</i>	<i>Date</i>	<i>Main subject or subjects</i>	<i>Page</i>
	<i>1946</i>		
	<i>August</i>		
201 Porter to Patrick Letter	26	Sends records referred to in No. 188	309
202 Nye to Wavell Letter 2-1946, para. 7	26	Local Congress Party enthusiastic about formation of Interim Govt. but League disappointed and bewildered	
203 Jenkins to Wavell Tel. 79-G	26	Khizar supports Baldev Singh's intention not to demit Office in Punjab until Premier's return about 15 September, explains advantages of this course; indicates Baldev Singh's desire to be War Member	

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		<i>August</i>		
204	Wavell to Pethick-Lawrence Tel. 1791-5	27	Reports outcome of his visit to Calcutta; is convinced further rioting in Calcutta and elsewhere will not be avoided unless there is settlement at Centre; passes on Nazimuddin's view that Jinnah's stand arises from his fear of Congress attitude on Grouping; proposes to see Gandhi and Nehru and try to obtain definite assurance Congress mean to work Constituent Assembly in way laid down; intends to say he will not summon Constituent Assembly unless this assurance is given	311
205	Note by Wavell	27	Account of interview with Gandhi and Nehru at which Wavell handed them draft of statement on Congress attitude towards Grouping and said he could not undertake responsibility of convening Constituent Assembly until this point was settled; Nehru alleges 'bullying' by League	312
206	Wavell to Pethick-Lawrence Letter	28	Refers to Nos. 177 and 178, his visit to Calcutta, intention to appoint Commission of Enquiry into disturbances; value of British troops, praises Burrows' handling of situation; Congress clamour for Section 93 in Bengal, does not feel a Bengal coalition is possible without one at centre, importance of the latter, his interview with Gandhi and Nehru (No. 205), Jinnah's reactions to Wavell's broadcast; Rance's visit; appointment of Chief Justice of Calcutta High Court, U P. Home Minister's action in issuing direct orders to district police officers; compensation for Services; Enclosure 1: Note of interview between Wavell and Suhrawardy, 25 August 1946; Enclosure 2: cutting from <i>Statesman</i> of 26 August giving Statement by Jinnah; Enclosure 3: cutting from <i>Hindustan Times</i> of 27 August giving further Statement by Jinnah	313
207	Gandhi to Wavell Letter	28	Refers to interview in No. 205; feels Viceroy's language minatory and says he cannot afford to ignore 'the law'; suggests he should be assisted by legal mind if necessary; if intentions are really those expressed in interview, considers he should not have asked Congress to form Interim Govt. and should now replace them with Ministry enjoying his full confidence; says Congress cannot adopt wrong course	322

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	<i>August</i>		
207 (cont.)		because of brutality in Bengal; asks for this letter to be sent to Cabinet	
208 Wavell to Pethuck-Lawrence Tel. 1804-S	28	Refers to No. 207, feels Gandhi's strong reaction is convincing evidence of Congress intentions to break League through control of Interim Govt. and to destroy Grouping, is asking Nehru to put his suggested Statement to Congress Working Committee; warns that Congress may now refuse to enter Interim Govt.; renews suggestion that it may become advantageous to invite Nehru, Jinnah and himself to London	323
209 Wylie to Wavell Tel GS 57	28	Passes on message from Khaliqu-uz-Zaman to effect that if Wavell stands firm on Grouping, he thinks Jinnah will enter Interim Govt. and even accept Nationalist Muslims	324
210 Burrows to Wavell Letter	28	Has suggested to Suhrawardy he attempts to broaden Ministry by inclusion of some Congress Ministers, reports that Suhrawardy is insisting on preliminary consultation with Jinnah; is uncertain whether Ministry would survive no-confidence motion	324
211 Nehru to Wavell Letter	28	Congress Working Committee are unable to agree to his proposed Statement on Grouping; refers to Working Committee's resolution on subject (No. 137); argues that Wavell himself understood Congress position to be that any disputes on interpretation should be referred to Federal Court; says he now wishes to impose the Mission's interpretation; feels Viceroy has legal and moral obligation to summon Constituent Assembly	326
212 Wavell to Attlee Letter	28	Does not regard No. 184 as an adequate reply to No. 102; essential that he should know Attlee's mind on India more fully; says he cannot remain Viceroy while members of H.M.G. have contacts with Congress behind his back; warns that his relations with new Interim Govt. will involve him in dilemmas of conscience and that he will never make concessions on matters like treatment of I.N.A. as heroes; Enclosure: transcript of telephone conversation between Patel and Sudhir Ghosh	328
Annex to No. 212		Undated drafts by Attlee (which were not sent) for reply to No. 212	330

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213 Pethuck-Lawrence to Wavell Tel. 15817	28	Refers to Nos 204 and 208; asks him not to break with Congress without prior consultation, deprecates Viceroy's statement on summoning Constituent Assembly; disagrees with his interpretation of Gandhi's letter (No. 207); would like him not to press Grouping question to final issue until Interim Govt. takes office; suggests a compromise formula which might be put to Congress on Grouping and formation of Provincial constitutions	332
214 Pethuck-Lawrence to Wavell Letter	28	Pleasure at formation of Interim Govt ; is sorry Viceroy was unable to meet Jinnah during course of Interim Govt. negotiations, Jinnah's attitude to Grouping and Congress Muslim in Interim Govt , danger arising from proposal for Provincial Constitutions to be decided by representatives from that Province only; Calcutta riots; number of Europeans in India, Mudaliar, announcement on U.K. High Commissioner; favourable U.K. Press comment on formation of Interim Govt , idea of U K broadcast by Nehru, Runganadlian; background to his reply to Simon in Lords debate	333
215 Wavell to Nehru Letter	29	Thanks for No 211, feels problem is practical and not legal one, points out that even if Federal Court accepted Congress interpretation, League would remain alienated, unwise to call Constituent Assembly until agreed view on Grouping, asks to see him about portfolios in Interim Govt.	337
216 Nehru to Wavell Letter	29	Thanks for No. 215, says Congress had taken a practical view and were concerned with minority interests; feels postponement of Constituent Assembly would have harmful results, suggests date for their meeting on Interim Govt.	338
217 Wavell to Burrows • Tel. 1808-S	29	Legal reasons make it necessary for Bengal Govt to appoint Commission of enquiry into Calcutta riots; asks to be informed of Bengal Ministry's proposals; is sounding Spens as possible Chairman	339
218 Wavell to Pethick-Lawrence Tel. 1809-S	29	Refers to No. 213; gives substance of reply in No. 215; believes if H.M.G stands firm on Grouping, they may still get League in	340
219 Pethuck-Lawrence to Wavell Tel 15892	29	Elaborates his idea in No. 213 for Congress-League agreement on Constituent Assembly procedure	340

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220 Wylie to Wavell Letter U.P.-42	29	League 'Direct Action' Day passes off quietly in U.P.; worried at religious flavour to Muslim celebrations; increase in communal tension; suspects local League leaders are dismayed at turn of events; Ministry keeping Governor out of conduct of policy but have done very well	342
221 G. D. Birla to Cripps Letter	29	Criticises Wavell's broadcast No. 199, feels Wavell's policy will only harden Jinnah's attitude; Congress amazement at Wavell's threat not to call Constituent Assembly, argues strongly Wavell should trust and support his team	344
222 Abell to Patrick Tel. 1812-S	29	States position reached in examination of old records to see whether any need to be transferred to London	346
223 Burrows to Wavell Letter	30	Refers to No. 217, Suhrawardy and he are anxious Spens should conduct enquiry; suggests Spens should be assisted by Hindu and Muslim Judges from outside Bengal, gives tentative terms of reference	347
224 Cabinet Chiefs of Staff Committee C.O S (46) 133rd Meeting Minute 2	30	Agreement Attlee should be told how vital India's remaining in Commonwealth was from military point of view; Annex: Minute from Ismay to Attlee to this effect	348
225 C.-in-C., India to War Office Tel. 249564/SD1	30	Sends estimates for run-down of British troops in India, reports G. of I. is requesting withdrawal of British troops should be held in abeyance for time being and gives figures if this policy is adopted	350
226 Pethick-Lawrence to Wavell Tel. 15940	30	Refers to Nos. 211 and 218, stresses paramount necessity of securing Interim Govt., suggests slight variation to Constituent Assembly procedure proposal given in No. 219; feels it might be helpful to discuss Grouping in Interim Govt.; seeks elaboration of Viceroy's argument on Grouping, impresses on him importance of Cabinet considering matters before any break with Congress	352
227 Minutes by Turnbull, Monteath and Pethick-Lawrence	30-1	Refers to No. 211, survey of Congress attitude on Grouping question; Turnbull considers it is inevitable Congress is allowed to take Office but recommends they play for time in summoning Constituent Assembly in hope that an accommodation will be achieved with League; Monteath broadly agrees	353
228 Cabinet Paper C P. (46) 329	30	Memorandum by Bevin and Pethick-Lawrence on conduct of foreign affairs	359

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228 (cont.)		affecting India with an Interim Govt. in	
229 Wavell to Pethick-Lawrence Tel. 1828-S	31	Refers to No. 226; says there is no question of Congress at present refusing to join Interim Govt.	366
230 Alexander to Pethick-Lawrence Tel. 623 via U.K. Delegation, Peace Conference and Foreign Office	31	Refers to No. 208; feels it is a pity Wavell went so far as he did with Nehru and Gandhi (No. 205) without consultation; favours visit of Nehru and Jinnah to London in preference to formula on Grouping suggested in No. 213	366
231 Wavell to Pethick-Lawrence Tel. 1829-S	31	Refers to No. 226, believes Grouping is crux of problem, including League's attitude to Interim Govt.; feels he should have got clear decision from Congress on this subject much earlier, feels subject must be settled before summoning Constituent Assembly; reports there are signs League would welcome settlement	367
Wylie to Wavell Letter U.P.-43	31	Refers to No. 220, gives forms he has been told that League 'direct action' might take; general impression from some visitors that serious trouble is inevitable, his suggestion Congress and Nationalist Muslims in Interim Govt. might say they do not want representation there; importance of League joining Interim Govt.	368
233 Jenkins to Wavell Letter G.S.-483	31	Sends appreciation of the Punjab situation at the end of August 1946	371
234 Pethick-Lawrence to Wavell Tel. 16025	31	Refers to No. 226, passes on Alexander's views as to next move given in No. 230, explains that his own suggestion was to be attained by agreement between Parties; seeks his views and instructs him not to invite Parties to London without consultation	377
235 Pethick-Lawrence to Alexander Tel. 16026 via Foreign Office and U.K. Delegation, Peace Conference	31	Refers to No. 230; gives substance of No. 234; feels it is premature to invite Parties to London	378
236 Bevin to Attlee Letter	undated	Feels U.K. High Commissioner in India should report directly to him on all questions affecting U.K. foreign policy and receive instructions from him; position not wholly analogous with High Commissioners in Dominions; suggests Foreign Office member of Cabinet Committee dealing with High Commissioner should be its Vice-Chairman	379

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237 Nehru to Wavell Letter		Encloses list of proposed allocation of portfolios in Interim Govt.; his view of nature of new Govt.	380
238 Note by Wavell		Discussion with Nehru on points connected with functioning of Interim Govt.; Mudaliar's attendance at UNESCO; J. P. Narain, agreement on some postponement of Constituent Assembly; Congress acceptance of hospitality	382
239 Chief Secretary, Govt of Bombay to S. of S Tel. 360/C		Reports communal rioting has broken out in Bombay City with 35 persons killed	384
240 Fortnightly Report of Chief Secretary, Govt. of Sind (extract)		Sensitive state of communal feeling in Sind, sends text of Press communiqué which states Govt. will take strongest measures against persons propagating idea of communal clash	385
241 Remarks on Interim Govt by Gandhi	2	Though day is memorable one expresses concern that League is not included; indicates measures Govt. should adopt	386
242 Scott to Abell Minute		Reports conversation with Liaqat on minimum assurances required by League to bring about change in its attitude to participation in Constituent Assembly and Interim Govt, Liaqat warns about communal clashes	387
243 Note by Wavell		Conversation with Sultan Ahmed on League attitude towards Nationalist Muslim and Grouping, progress on States Grouping Schemes; States' representative at U.N O	389
Pethuck-Lawrence to Wavell Tel. 16096		Agrees with his advice to Colville about by-elections to Constituent Assembly; points out danger of procedure being adopted by Bombay Govt.	390
245 Menon to Abell Letter		Comments on Pethuck-Lawrence's suggested compromise formula on Grouping (Nos. 213 and 219), does not think this approach will bring League in; suggests alternative formula of his own, has heard that Congress have already started negotiations with League	391
246 Minutes by Abell and Wavell		Comments on Pethuck-Lawrence's suggested compromise formula on Grouping (Nos. 213 and 219); Abell agrees League would be unlikely to accept it; does not think Viceroy should put forward Menon's suggestion for plebiscites in connection with 'opting out' of Groups; feels Viceroy should accept Pethick-Lawrence's formula with an amendment; Wavell himself	394

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246 (cont.)		doubts whether Congress will accept formula except under pressure	
247 Wavell to Pethuck-Lawrence Tel. 1843-S	3	Argues that recruitment to S. of S.'s Services must be discontinued completely and says that announcement to this effect would be helpful	397
248 Wavell to Pethuck-Lawrence Letter	3	Refers to No. 214; no real crisis with Gandhi and Nehru over Grouping, importance of Grouping question; Statement of 16 May open to misrepresentation on subject; swearing-in of Interim Govt.; his and Nehru's speeches on this occasion; not in favour of Nehru's broadcasting to U.K.; Nehru says he would be pleased to see Mudaliar attend UNESCO session; appointment of Calcutta Riots Enquiry Commission, Suhrawardy showing signs of wanting coalition Ministry in Bengal; Jenkins' appreciation (No. 233) indicates importance of tackling long-term problem and of a breakdown policy, serious food situation, Runganadhan and Hydari; S. Africa, report of Enquiry into R I N Mutiny; Enclosure: Press Note giving distribution of portfolios in Interim Govt	398
249 Griffiths to Pethuck-Lawrence Letter	3	Sends note on the immediate political situation with his recommendations on what is to be done	402
250 Pethuck-Lawrence to Attlee Minute 48/46	3	Comments on points raised by Anbedkar in No. 142; does not think they are in position to ensure that Scheduled Castes' Federation is represented on Minorities Committee	411
251 Cabinet C M. (46) 79th Conclusions Minute 3	4	General approval for proposals in No. 228	412
252 Attlee to Pethuck-Lawrence Minute M 295/46	4	Refers to No. 187, para. 8, feels G. of I.'s mistaken estimate of Europeans in India is shocking example of incompetence	414
253 Attlee to Pethuck-Lawrence Minute M 296/46	4	Expresses surprise at para. 4 of No. 250, had always understood that Minorities Advisory Committee was Mission's device for dealing with Scheduled Castes	414
254 Cabinet Defence Committee Paper D.O. (46) 104 (extract)	4	Note by Hollis circulating extracts from Chiefs of Staff Committee report on Strategic Importance of India (of which the conclusions are reprinted)	415
255 Wavell to Pethuck-Lawrence Tel. 1858-S	4	Refers to No. 234; is sure they should stick to Mission's intention that Sections should frame Provincial constitutions; points out that this is vital matter for	416

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255 (cont.)		League; agrees otherwise with proposed formula; considers he must make it clear to Congress that he will have to open discussions with Jinnah if they are unwilling to do so	
256 Note by Wavell	5	Interview with Patel on: importance of League coming in; Grouping question; position in Sind; incitements to violence; Enquiry into Calcutta riots	417
257 Wavell to Wylie Letter 592/82, paras. 1-3	5	Thanks for Nos. 220 and 232; agrees League could cause serious trouble; is unsure of Congress's real intentions towards League, determined to secure coalition if he can	419
258 Twynam to Wavell Letter 30-G C P	5	Resolution on conduct of Services in 1942 is withdrawn in C P. Assembly	420
259 Nehru to Wavell Letter	5	Complains about conduct of Sind Ministry and particularly of support given by Mudie to Ministry	421
260 Pethuck-Lawrence to Bevin Letter	5	Refers to No. 236; does not see why machinery developed for relations with High Commissioner should be by-passed on foreign affairs matters; would have preferred first High Commissioner from among those to Dominions	422
261 Turnbull to Monteath and Pethuck Lawrence Minute	5	Considers No. 255 removes concession to Congress and makes formula identical with one Viceroy put forward, does not think attempt to obtain agreement should be made until H M G. has considered all options	424
262 Abell to Wavell Minute	5	Porter reports Patel is disappointed at narrowness of Home Dept. functions; Patel is said to welcome agreement with League but only on condition Nehru is accepted as in effect Chief Minister	425
263 Pethuck-Lawrence to Wavell Letter	5	Refers to No. 200; Pethuck-Lawrence's impression Burrows handled Bengal riot situation well, pleased Wavell suggested coalition to Suhrawardy; agrees riot situation makes coalition at Centre most important, Jinnah's reaction to Wavell's broadcast, Viceroy's talk with Rance; feels it would be unwise to break with U.P. Ministry over Police discipline case; is doing his best on compensation for Services, favourable impression of Shone; talks with Pillai and Ranga	425
264 Minutes by Abell and Wavell	6	Patel in talk with Menon said Congress thought Mission did not object to their adhering to their view about Grouping;	428

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264 (cont)		Menon suggests Congress is informed of commitment to League (Vol. VII, No. 301)	
265 Wavell to Pethick-Lawrence Tel. U-9	6	Hopes that reports that he is to be replaced by Cripps are untrue; suggests Alexander	428
266 Pethick-Lawrence to Wavell Tel. 5-U	6	Refers to No. 265 and says there is no truth in rumour	429
267 Wavell to Pethick-Lawrence Tel. 1870-S	6	Reports Ministerial crisis in Sind; says Mudie is in favour of dissolution of Assembly and fresh elections; Viceroy hesitates to overrule this advice; asks for Pethick-Lawrence's concurrence	429
268 Pethick-Lawrence to Wavell Tel. 16317	6	Refers to No. 255, points out that Viceroy's amendment to Grouping formula reduces its substance; states at length objects of formula and asks him to reconsider the idea; asks whether he wishes to press Mission's interpretation of Statement of 16 May on Grouping to point where Congress leaves office, seeks elucidation of policy he would suggest in this circumstance	430
269 Pethick-Lawrence to Wavell Tel. 16318	6	Refers to No. 268 and sends amendment to Grouping formula	433
270 Alexander to Pethick-Lawrence Tel. 713 via U.K. Delegation, Peace Conference and Foreign Office	6	Has much sympathy with Wavell's request for assurance but has no doubt they are doing all they can to support him in attempt to form coalition	433
271 Pethick-Lawrence to Wavell Letter	6	Considers range of matters on which it might be necessary for Viceroy to consider overruling Interim Govt	434
272 Burke to Attlee Minute	6	Conversation with Ghosh in which he reported that Gandhi feared repetition of Calcutta disaster unless Viceroy was assisted by abler and legal mind; Ghosh himself felt Wavell should be replaced and said view was shared by Congress leaders	437
273 Pethick-Lawrence to Attlee Minute 50/46	6	Sends him a copy of No. 247 and of his proposed reply (No. 279)	438
274 Minutes by Abell and Wavell	7	Abell feels thinking behind Nos. 268 and 269 is that concession must be made to Congress; Wavell suspects intention is both dishonest and cowardly	439
275 Note by B. N. Rau (extract)	7	Distinction between Groups and Sections under Mission's scheme; advises Nehru makes clear in his broadcast that representatives of Provinces must sit together in Sections for the purpose of settling Provincial Constitutions and deciding whether Groups should be formed	440
276 Dow to Wavell Letter 241-G.B., paras. 2-3	7	Anxious time past but warns of serious state of tension in Bihar; Ministry has	

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276 (cont.)		helped to undermine executive authority; signs of improvement in communal situation	
277 Clauson to Burke Letter	7	Outlines position accorded to Anglo-Indian community in Mission's proposals; explains why Anthony was not included in Interim Govt.; feels No. 200 should receive simple acknowledgement	443
278 Minutes by Turnbull and Monteath	7	Probable deadlock in Sind Legislature	445
279 Pethick-Lawrence to Wavell Tel. 16393	7	Refers to No. 247 and says H.M.G. do not intend to proceed with any recruitment to S of S's Services; sees no need for public announcement; asks for information on proposed G of I. Central Service	447
280 Wavell to Nehru Letter	8	Points out that Governor-General, in controlling Provincial Governors' exercise of their special powers, himself acts in his personal capacity	448
281 Nehru to Wavell Letter	8	Refers to No. 280; is aware of legal position but considers Governor-General should now in some way consult Interim Govt. on such matters; complains of Mudie's adjournment of Sind Assembly	448
282 Note by Nehru	8	Desirable date for first meeting of Constituent Assembly and related matters	450
283 Abell to Wavell Minute	8	Reports that Rau hopes to persuade Nehru and Congress to allow Sections to frame their own procedure; explains why this would go as far as Pethick-Lawrence's formula	452
284 Note by Wavell	8	Interview with Suhrawardy from which it emerged that Jinnah would not permit formation of Coalition Ministry in Bengal; League's general constitutional position	453
285 Attlee to Pethick-Lawrence Minute M.299/46	8	Would have thought it madness to hold election in Sind at present	454
286 Wavell to Pethick-Lawrence Letter 592/59	8	Sends further breakdown proposals; insists on need for immediate decision; argues that without drastic reversal of H.M.G.'s intentions, it will not be possible to remain in India beyond Spring 1948; elaborates proposals (I) to be implemented if there is breakdown before end of 1946; (II) to be implemented in any case in January or February 1947; sends drafts of announcements; also encloses note by Auchinleck on military aspects of plan	454
287 Pethick-Lawrence to Wavell Tel. 16436	8	Refers to No. 267; says strictly correct procedure in Sind would be to ask	466

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287 (cont.)		Congress whether they can form Ministry; recognises political objections to this course; would agree to dissolution; does not favour Section 93	
288 Pethick-Lawrence to Attlee Minute 51/46	9	Refers to No. 253; says Mission certainly intended Scheduled Castes should be included in Minorities Committee but they left its actual composition to Constituent Assembly, reiterates case for not making pronouncement	466
289 Pethick-Lawrence to Attlee Minute 52/46	9	Refers to No. 285; background to Sind deadlock, sends copy of No. 287; informs him of further telegram (No 294)	468
290 Wavell to Jenkins Tel. 1882-S	9	Would prefer to postpone Sikh by-elections to Constituent Assembly so as to give Jinnah no cause for complaint	470
291 Wavell to Pethick-Lawrence Tel 1889-S	9	Refers to Nos 268 and 269; agrees to additional sub-para. if added, to his own version of formula; stresses need to offer League assurance that they will obtain what Mission intended, restates League's requirements (cf No 242)	470
292 Hyderabad to Wavell Letter	9	In view of unrest feels Wavell should adopt a fresh approach to the political question, argues that efforts should be made to bring League into Govt, says he is not a believer in Pakistan	472
293 Attlee to Bevin Letter	9	Refers to Nos 236 and 260, thinks it would be a mistake at present juncture to place U.K. High Commissioner in India under Foreign Office	473
294 Pethick-Lawrence to Wavell Tel. 16479	9	Refers to No. 287, presumes Suhrawardy-Jinnah meeting is to discuss Bengal coalition; feels only real solution of Sind deadlock is similar coalition and that Mudie's first move should be to urge this	474
295 Wavell to Pethick-Lawrence Tel 1895-S	10	Refers to No. 291, sees no purpose in putting formula to Nehru at present, passes on view that Congress will permit Sections to decide their own procedure, proposes to send for Jinnah to find out whether an assurance on this point would cover his essential requirements, seeks concurrence in this course	474
296 Wavell to Pethick-Lawrence Tel 1894-S	10	Refers to No. 287; says it is clear dissolution is best course in Sind; has told Mudie, however, to defer decision until result of no-confidence motion is known	475
297 Pethick-Lawrence to Wavell Tel. 16480	10	Asks for his assessment of Congress intentions on procedure in Constituent Assembly	475

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298 Wavell to Pethuck-Lawrence Tel. 1897-S	10	Refers to No. 295, developments indicate that time is propitious to send for Jinnah	476
299 Pethuck-Lawrence to Attlee Minute 53/46	10	Sends Nos. 291, 295 and 298; supports Wavell's request to send for Jinnah	477
300 Abell to Turnbull Tel. 1899-S	10	Refers to No. 297; says Congress are understood to recognise necessity for negotiation rather than majority voting in Constituent Assembly	479
301 Cabinet India and Burma Committee Paper I.B. (46) 30	10	Memorandum by Pethuck-Lawrence on proposed compensation scheme for Officers of the Indian Services appointed by the S of S	479
302 Wavell to Pethuck-Lawrence Letter	10	Bombay riots, serious consequences would follow 'direct action' in Eastern Bengal; importance of obtaining coalition; in general has got on well with his new colleagues, exchange with Nehru on Sind (No. 280), Nehru's broadcast; modifications to Rules of Business, first routine meeting of Interim Cabinet goes well; Nehru's Private Secretariat, conversation with Patel, including subject of Intelligence Bureau records; possibility of crisis in U P. on matters relating to Police, Sind deadlock; ending of recruitment to S of S's Services and progress on new Central Service (No. 279), U.S. offer to exchange Ambassadors with India	482
303 Burrows to Wavell Letter	10	Outlines the difficult situation he would face if League launched programme of 'direct action' and he was forced into Section 93; asks for assurance of full support in measures he might have to take against Muslim community	485
304 Wavell to Burrows Letter 90/7	11	Is forwarding No. 303 to Pethuck-Lawrence; does not despair of coalition at Centre, assures him of his own support	488
305 Minute by Abell	11	Passes on information that Congress are believed to be committed to allowing Sections to decide their own procedure; feels, however, Wavell should be uncertain on this point with Jinnah	488
306 Wavell to Pethick-Lawrence Tel. 1910-S	11	Asks for authority to tell Congress, as necessary, of points made to League representatives on 16 May (Vol. VII, No. 301)	489
307 Turnbull to Monteath and Pethuck-Lawrence Minute	11	Comments on No. 306	490

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308 Pethuck-Lawrence to Wavell Tel. 16574	11	Refers to No. 306; agrees that if Jinnah bases his case on assurances mentioned, he should tell Nehru that Mission had informed Jinnah these were intentions of document; he should not disclose fact that League saw minutes	490
309 Wavell to Pethuck-Lawrence Tel. 1915-S	12	Reports conversation with Nehru on procedure in Sections and other matters Jinnah might bring up in discussion; Nehru said he could not object to sending for Jinnah	491
310 Wavell to Pethuck-Lawrence Tel. 1918-S	12	Refers to No. 294; says Mudie has been unable to secure coalition; Viceroy has agreed to dissolution and fresh elections	492
311 Note by Wavell	13	Discussion with Rajagopalachariar on Congress attitude to Constituent Assembly and Interim Govt.	492
312 Wavell to Nehru Letter	13	Refers to No. 282; agrees to date for meeting of Constituent Assembly subject to their doing everything possible to reach understanding with Jinnah; stresses that Assembly not within authority of G. of I. and Viceroy is responsible for convening it	495
313 Wavell to Pethuck-Lawrence Tel. 1925-S	13	Refers to No. 297; assumes Nehru's remark was an answer to League's fears, is uncertain of meaning of point in Congress resolution (No. 137)	496
314 Wavell to Pethuck-Lawrence Tel. 1926-S	13	Refers to No. 279, will let him know if it becomes necessary to make public announcement, sends details of proposed new Central Service	497
315 Wavell to Hyderabad Letter 592/58	13	Thanks for No. 292; informs him of invitation to Jinnah; will do his best to secure coalition	497
316 Pethuck-Lawrence to Wavell Letter	13	Refers to No. 248, has sent Attlee, Cripps and Alexander some of the principal documents recently received; Nehru apparently feeling responsibility of office; Nehru's broadcast receives good coverage in U.K.; food situation; regrets Nehru is against making approach to Smuts on Indians in S. Africa; compensation for S. of S.'s Services, suggests that Nehru should be asked to use his influence in Congress to prevent Ministries from releasing dangerous criminals under the guise that they are political offenders	498
317 Pethuck-Lawrence to Attlee Minute 55/46	13	Sends lengthy note giving background to present Indian political situation and commenting on issues requiring decision;	500

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317 (cont.)		if Wavell's talks with Jinnah fail, would like to discuss last part of note with him and other Mission Ministers	
318 Abell to Wavell Minute	14	Reports conversation with Nazimuddin who appeared to think that British would stay to help Congress put down Muslims; Abell feels that if negotiations with Jinnah fail, it is almost essential to announce withdrawal intentions immediately	518
319 Nehru to Wavell Letter	14	Refers to No. 312; thanks date of Constituent Assembly should be final and not contingent on other things, method proposed for summoning Assembly does not recognise changed position of Interim Govt	520
320 Wavell to Pethuck-Lawrence Tel. 1939-S	14	Assesses difficulties he faces in Jinnah negotiations; critical issue of nationalist Muslim, asks for guarantee that I.M.G., if necessary, will issue statement saying Sections can decide their own procedure	521
321 Note by Menon	—	Points out difficulties which may arise from procedure in Sections being determined by majority voting	523
322 Pethuck-Lawrence to Wavell Tel. 16845	16	Refers to No. 320, feels they must know all the assurances Jinnah is seeking before undertaking to make a statement, thinks any statement must cover whole ground	
323 Note by Wavell	16	Note of discussion with Jinnah clarifying League attitude to Constituent Assembly and Interim Govt.	
324 Wavell to Pethuck-Lawrence Tel. 1948-S	16	Discussion with Nehru on convening Constituent Assembly; gives Nehru's tentative programme for Assembly, is holding up announcement	
325 Wavell to Dow Letter 40/6, para 4	16	Some Congress Members of Interim Cabinet are accepting his hospitality	528
326 Monteath to Heads of India Office Depts.	16	Importance of respecting status of G. of I.; care to be exercised when drafting communications	528
327 Bevin to Pethuck-Lawrence Letter	—	Sends copy of letter dated 16 September to Attlee in which he refers to No. 293 and argues case for direct communication between Foreign Office and High Commissioner; seeks meeting with Attlee and Pethuck-Lawrence on subject	529
328 Clow to Wavell Report 70, paras. 1-7	17	Gives account of disturbances in Bombay in first half of September; attitudes of local Congress and League leaders; his fears for future unless there is settlement at Centre	531

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329 Wavell to Pethuck-Lawrence Letter	17	Refers to No. 263; fears Congress may not really want settlement with Jinnah; Wavell's preliminary interview with Jinnah (No. 323); impressions of Muslim Members of Interim Cabinet; statement on Sections; satisfactory outcome in dispute between Wylie and U.P. Ministry; Calcutta riots Enquiry Commission; bombing of Mahsuds concluded; provisional date for convening Constituent Assembly, American interest in India; reasons for recommending Verma as Chief Justice at Allahabad; Sheikh Abdullah's conviction; growing state of communal tension	534
330 Monteath to Abell Tel 16975	17	Asks whether they should proceed with request to stop reductions in strength of British troops in India now that Interim Cabinet has taken over	537
331 Nehru to Wavell Letter	18	Complains that telegram asking for the retention of British units in India issued without knowledge of Interim Cabinet; asks for matter to be brought up in Cabinet	538
332 Wavell to Pethuck-Lawrence Tel 1970-S	18	Reports Nehru has raised in Cabinet question of possible use of Indian troops in Burma, general policy on use of Indian troops abroad is likely to be brought up	539
333 Wavell to Nehru Letter 125/47/II	19	Refers to No. 331; explains that telegram repeated an earlier letter approved by Caretaker Govt; retention of British troops vitally affects Viceroy's responsibility to Parliament	540
334 Pethuck-Lawrence to Lawson Letter	19	Supports G. of I.'s request for retention of British troops at their present strength for time being, explains that recommendation was made by Caretaker Govt.	541
335 Nehru to Pethuck-Lawrence Tel. 8140	19	Asks him to facilitate movement of rice from Indonesia	542
336 Wavell to Pethick-Lawrence Tel 1975-S	19	Refers to No. 337; says he has not seen Jinnah again but Rau found him conciliatory	543
• 337 Wavell to Pethuck-Lawrence Tel. 1976-S	19	Sends points on Constituent Assembly Jinnah raised in his interview with Rau	543
338 Minutes by India Office	19	Comment on points in Wavell's break-down proposals in light of analysis in a draft of No. 342	544
339 Cabinet Chiefs of Staff Committee C.O.S. (46) 143rd Meeting	20	Agreement that circulation of Enclosure II to No. 26 to Defence Committee would reinforce argument as to importance of	547

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339 (cont.)		India's remaining in Commonwealth on defence grounds	
340 Nehru to Cripps Letter	20	Thinks the future is not rosy as efforts are being made to hamper the work of the Interim Govt.; complains of fresh attempts, taken without their concurrence, to reopen old issues	548
341 Note by Wavell	20	Conversation in which Sultan Ahmed listed Jinnah's remaining requirements on Interim Govt.; Sultan Ahmed suggests Bhopal be invited to Delhi	548
342 Pethuck-Lawrence to Attlee Minute 60/46	20	Analyses Wavell's breakdown proposals (No. 286); points out some of the serious consequences which would follow such a withdrawal, indicates defects in scheme for withdrawal in event of actual breakdown before December 1946; is generally critical of idea of announcing, in any case, early in 1947 intention of implementing withdrawal plan, says it is premature to decide on this latter course	550
343 Pethuck-Lawrence to Wavell Tel. 17088	20	Refers to No. 332, agrees that Indian troops should not be used in event of economic and political trouble but does not see why they should not be available for protection of lives and property	555
344 Pethuck-Lawrence to Nehru Tel. 17103	20	Refers to No. 335 and says matter will be re-examined with utmost desire to help	556
345 Pethuck-Lawrence to Wavell Tel. 17141	20	Congratulates him on his handling of Jinnah (No. 323); importance of making clear that Rau's answers to Jinnah on Constituent Assembly procedure cannot be taken as assurances by H.M.G.	556
346 Pethuck-Lawrence to Wavell Letter	20	Refers to No. 302; importance of treating Interim Govt. as liberally as possible, Burma situation (paras 2 and 3); use of Indian troops in Burma; Cabinet approval (No. 251) for No. 228, U.S. wish to exchange Ambassadors with India; Nehru's desire to make direct approach to Molotov about wheat for India, Sind political crisis, Wavell's <i>tête-à-tête</i> with Patel	557
347 Wavell to Pethick-Lawrence Tel. 1992-S	21	Refers to No. 345 and says Rau has fully covered point in discussion	560
348 Jinnah to B. N. Rau Letter	21	Comments on and adds to points given in Rau's summary of their discussion on Constituent Assembly procedure	561
349 Nehru to Wavell Letter	21	On behalf of his colleagues, complains of the behaviour of Mudie and Sind Ministry	561

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350	B. N. Rau to Jinnah Letter	22	Sends the answers he would give personally to Jinnah's questions on Constituent Assembly procedure; presses the case for coalition govt.	562
351	Wavell to Nehru Letter	22	Refers to No. 349, says Mudie's recent action has had his approval and that Hidayatullah must have the team he requires until elections are held	567
352	Wavell to Pethick-Lawrence Tel 1997-S	23	Refers to No. 271; doubts necessity of defining types of cases on which he would have to overrule Interim Cabinet; says correspondence should generally be direct with Depts.; asks to see directive to High Commissioner before it is finalised	568
353	Nehru to Wavell Letter	23	Refers to No. 351; deeply regrets Wavell's attitude on Sind; says it is becoming clear that policies of Governor-General and Governor-General in Council are in conflict	569
354	Record of Meeting held at 10 Downing Street	23	General dislike of Wavell's breakdown proposals (No. 286); question whether Constituent Assembly session should be postponed unless League were ready to come in, agreed that Wavell's request for guarantee on issue of Statement, if necessary, about procedure in Sections be not pursued	570
355	Wavell to Pethick-Lawrence Tel. 2001-S	23	Understands Jinnah is awaiting outcome of A.I.C.C. meetings before resuming negotiations, Press feels there is fair chance of coalition but he sees no ground for optimism	573
356	G. of I., External Affairs Dept to Indian High Commissioner, London Tel 8247	23	Nehru sends Krishna Menon message to be given to Molotov asking for Russian help in supply of foodgrains	573
357	Wavell to Pethick-Lawrence Tel 2002-S	23	Says Nehru is proposing that Krishna Menon should visit certain European countries as his personal representative, feels move will bring little credit to Interim Govt. or Congress; has told Nehru that such an important step should not be taken while there is prospect of coalition	574
358	Pethick-Lawrence to Cripps Letter	23	Feels time has come for Sudhir Ghosh to return to India; intends to say this to him as he has asked Pethick-Lawrence's advice on subject	575
359	Wavell to Nehru Letter	24	Refers to No. 353; explains his constitutional objective; says constitution does	575

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359 (cont.)		not bring control of Governors within ambit of Governor-General in Council	
360 Wavell to Pethick-Lawrence Letter	24	Encloses note by D.I.B. on possible moves by League, on consequences that might follow and on counter-measures that could be adopted; Wavell feels that in event of breakdown, he would have to return for consultations and that issue of statement would be needed to restore initiative to H M G	576
361 Pethick-Lawrence to Attlee Minute 62/46	24	Sends draft of telegram to Wavell on Constituent Assembly; explains why he has not gone so far as to tell Wavell he must, if necessary, proceed without League	581
362 Pethick-Lawrence to Wavell Tel 17341	25	Sees considerable objections to Statement on procedure in Sections, hopes he may secure agreement on this between Jinnah and Congress, otherwise feels they must revert to idea of London discussions with Nehru and Jinnah, says he should not commit himself to position that Constituent Assembly will not be convened without League	582
363 Wavell to Pethick-Lawrence Letter	25	Refers to No 316, case for equal compensation for all members of S. of S.'s Services, supports proposal for right of retirement on proportionate pension for members of I P.S.; not in favour of asking Nehru to use his influence with Bihar Ministry, extension for Puckle, letters from Brander on population problem; speculation on Jinnah's attitudes; pressure on A.I.C.C. from Assam on Grouping question; Nehru's wish for democratic body in Baluchistan; Haroon to put League case to Molotov, Nehru's idea Krishna Menon should be used as kind of roving Ambassador; correspondence with Nehru on Sind; situation in Interim Cabinet on use of Indian troops abroad; hopes he can help them on transport for paddy from Indonesia; Nehru against awarding titles and English honours to Indians; operation of U S air services in India; Nehru's request to be informed of correspondence between Political Dept. and States; Bengal Govt. survives no-confidence motions; political leaders dining with Viceroy	583
364 Wavell to Pethick-Lawrence Tel. 2025-S	26	Sends account of second interview with Jinnah on Interim Govt. and long-term	587

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364 (cont)		questions; Jinnah would be willing to see Nehru if he was certain of a favourable agreement on points he had raised	
365 Wavell to Pethick-Lawrence Tel. 2026-S	26	Wishes to propose to Interim Govt. that High Commissioner's Office in London is expanded so that eventually it can become channel for India's relations with H.M.G.	589
366 Wavell to Abell Note	26	Sends him brief he would propose for his interview with Nehru	589
367 Abell to Wavell Minute	26	Refers to No. 366, after consultation with Scott and Menon suggests an alternative strategy which involves exposing Wavell's hand as little as possible and leaving everything, except Nationalist Muslim question, to direct negotiations between Parties	593
368 Wavell to Pethuck-Lawrence Tel 2031-S	26	Reports interviews with Nehru and Gandhi; Nehru said he had assured A.I.C.C. he would not give way on Nationalist Muslim, discussion with him was inconclusive on this issue; Gandhi asked what would happen if League did not come in and indicated his own solution	594
369 Pethick-Lawrence to Nehru Tel 17477	26	Refers to No. 344, is sure he will share satisfaction at outcome	596
370 Pethick-Lawrence to Attlee Minute 63/46	26	Sends draft reply to No. 286, feels they should warn Dominion P Ms that if there was breakdown India might cease to be effective part of Commonwealth Defence	596
371 Pethick-Lawrence to Wavell Letter	26	Sends paper by Chiefs of Staff on Indian forces outside India and serious consequences that would follow their return to India; paper includes arguments that might be used to dissuade Interim Govt from taking this step	
372 Gandhi to Wavell Letter	27	Sends account of their meeting on 26 September	604
373 Wavell to Gandhi Letter	27	Thanks for No. 372, does not think it wise to attempt to have agreed minutes in this type of negotiation; denies he said his leanings were towards League	606
374 Clow to Wavell Letter	27	Encloses memorandum arguing for a recognition of the distinctive Muslim position in Indian life	607
375 Note of discussion between Pethick-Lawrence and Cripps	27	Discussion as to policy regarding Constituent Assembly in event of failure of negotiations with League	613
376 Pethick-Lawrence to Wavell Letter	27	Refers to No. 329; Wavell's interviews with Jinnah, Nehru and Gandhi (Nos. 364 and 368); encouraged at satisfactory outcome to dispute between Wylie and	615

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376 (cont.)		U P. Ministry on Police matters; interview with Krishna Menon; reversal of decision not to supply lorries to Indonesians for movement of rice; visit of Nepalese delegation to London; his address to Imperial Defence College; no progress on question of compensation for S. of S.'s Services; Burma situation	
377 Gandhi to Wavell Letter	28	Thanks for No. 373, asks for Wavell's other corrections to account of their meeting given in No. 372	618
378 Bavin to Roberts Tel. 3221	28	Sends background information on G of I.'s appeal to U.S.S.R. for foodgrains	619
379 Pethuck-Lawrence to Wavell Letter	28	Replies to his breakdown proposals sent with No. 286; is generally critical of scheme, does not favour prior announcement giving programme for withdrawal; feels that if withdrawal becomes unavoidable it should be achieved quickly, without long period of notice, and be from the whole of India, proposals could not be put into effect without approval of Parliament, appends Note on proposal for reinforcing Services in interim period	620
380 Wavell to Gandhi Letter	29	Thanks for No. 377; would prefer not to comment further on No. 372; is glad he will use his influence for a settlement	625
381 Wavell to Pethuck-Lawrence Tel. 2061-S	29	Reports third interview with Junnah which centred on Nationalist Muslim question	625
382 Caroe to Wavell Tel. (unnumbered)	29	Feels Nehru's proposed visit to Frontier is deliberate partisan approach to problem and will cause serious tribal reactions; also considers it will wreck hopes of coalition with League	626
383 Minutes by Abell and Wavell	30	Comment on No. 382	627
384 Wavell to Caroe Tel. 2073-S	30	Refers to No. 382, thanks he should suggest that Nehru confines his first visit to Peshawar, sees little advantage in his (Wavell's) urging Nehru to postpone visit	627
385 Remarks by Nehru and Gandhi	—	Nehru on Grouping question; Gandhi on League-Congress co-operation	628
386 Pethuck-Lawrence to Cripps Letter	30	Refers to No. 340, does not consider it possible to give Nehru any assurances regarding Wavell's talks with Junnah; thinks they must support Wavell in pressing Congress for accommodation; effects of failure of negotiations; Viceroy giving Interim Govt. real power	629

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387 Draft by Abell	1	Basin for discussion between Nehru and Jinnah	630
388 Wavell to Abell Note	1	Feels he must now press Jinnah to abandon Nationalist Muslim issue; three possible means of achieving reconstruction of Interim Cabinet, lines of approach he feels he should make to Jinnah	631
389 Wavell to Pethuck-Lawrence Tel. 2082-S	1	Summarises conclusions in No. 388 on Nationalist Muslim issue; will ask Jinnah to submit five names for Interim Cabinet, if Jinnah does not agree feels he should return home for consultations	634
390 Pethuck-Lawrence to Attlee Minute 65/46	1	Refers to No. 389; thinks they should agree to Wavell's visit if his interview with Jinnah is unsuccessful but they should seek Wavell's advice before inviting Nehru and Jinnah; question of acting Viceroy	635
391 Wavell to Pethuck-Lawrence Letter	1	Refers to No. 346; Burma situation, Foreign Office reactions to upgrading of Indian representation in U.S. and India's approach to Molotov; difficulties of Nationalist Muslim issue; Nehru's tiredness, Nehru's Press Conference on foreign policy, tribal attitudes to the Parties; Nehru's projected visit to N.W. Frontier, compensation on retirement for members of Services unacceptable to Congress, representations from I.C.S. Central Association; supply of trucks to move Indonesian rice	636
392 Pethuck-Lawrence to Wavell Tel. 17720	1	Refers to No. 389, agrees to proposed line with Jinnah but feels if talk fails to move him, he should have final discussion with Congress; if this also fails, agrees to his visit, agrees Colville should act for him; seeks views on suggestion that Nehru, Jinnah and their colleagues should be invited to London for discussions	638
393 Pethuck-Lawrence to Wavell Tel. 17721	1	Refers to No. 392; and suggests lines he might explore with Congress if talk with Jinnah fails	639
394 Monteath to Pethuck-Lawrence Minute	1	Refers to Enclosure II to No. 26 and No. 254; strategic importance of India; doubts whether independent India would be agreeable to military treaty with H.M.G.; strategic implications of withdrawal from India following internal disruption; forewarning to Dominions	640
395 Note by Wavell	2	Interview in which Jinnah was asked to provide five names for Interim Govt.; Jinnah pressed case for alternating	643

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395 (cont.)		Vice-President of Interim Cabinet, arranged Jinnah should consult his Working Committee	
396 Wavell to Pethick-Lawrence Tel. 2085-S	2	Sends account of interview with Jinnah (No. 395), assumes he will not require reply at present to Nos. 392 and 393, is anxious to damp down Press comment	644
397 Wavell to Nehru Letter	2	Says Jinnah has agreed to see his Working Committee on Interim Govt. question; hopes Congress will restrain Press comment	645
398 Cabinet Defence Committee D.O. (46) 26th Meeting Minute 1	2	Consideration of Enclosure II to No. 26 and No. 254, no action can be taken at present	645
399 Clow to Wavell Report 71, paras. 1-8	3	Acute communal tension in Bombay; believes main impulse behind disturbances is now Hindu, Pathan concern at their fatalities, no widespread desire for settlement among political leaders in Bombay	648
400 Jinnah to Wavell Letter	3	Encloses list of proposals on Interim Govt. which emerged from their meeting (No. 395)	650
401 Pethick-Lawrence to Wavell Tel. 17834	3	Refers to No. 352; is sending draft of directive to U.K. High Commissioner, channels of communication; says it is impossible to lay down precisely High Commissioner's functions, hopes matters will develop empirically	651
402 Wavell to Pethick-Lawrence Tel. 2099-S	4	Says H.M.G.'s policy on Italian colonies is contrary to that of Interim Cabinet; G. of I. favours trusteeship by U.N.O. of colonial territories and will claim a voice in disposal of Cyrenaica	653
403 Nehru to Wavell Letter	4	Thanks for No. 397, agrees Press comment should be restrained; criticises Press fabrications about Interim Cabinet	654
404 Wavell to Jinnah Letter	4	Replies to, and comments on, points relating to Interim Cabinet in Enclosure to No. 400	654
405 Pethick-Lawrence to Wavell Tel. 17855	4	Refers to No. 352, agrees it is undesirable to classify types of cases in which they might have to overrule Interim Cabinet; also agrees that in Parliamentary debate they should say no more about status of Interim Cabinet than was said to Azad (Vol VII, No. 409)	655
406 Wavell to Pethick-Lawrence Tel. 2109-S	4	Sends text of Enclosure to No. 400 and replies in No. 404; says Nehru accepted his draft reply almost without comment; warns that they are not yet out of the wood	656
407 Nehru to Wavell Letter	4	Comments on certain points in exchange with Jinnah (Nos. 400 and 404); says	657

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407 (cont)		Congress have attached importance to Interim Cabinet functioning as a team	
408 Hollis to Monteath Letter	4	Forwards report by Chiefs of Staff on military considerations in regard to future Treaty with India (Conclusions of report are reprinted as Enclosure)	659
409 Turnbull to Donaldson and Anderson Minute	4	Asks for comments on draft letter he suggests Monteath should send Machtig on general subject of India's continued membership of Commonwealth in context of an Anglo-Indian treaty	662
410 Pethick-Lawrence to Wavell Letter	4	Refers to No. 363; Colville willing to act as Viceroy; Wavell's interview with Jinnah (No. 395), is not hopeful Jinnah will be able to persuade League to join Interim Cabinet; Nehru's further statement on Grouping, Congress insistence that constitution shall not be imposed on Province by the Section, letter from Attlee's Secretary to Jinnah; Wavell's correspondence with Nehru on Sind; Krishna Menon's activities (paras 9 and 10), no sign of telegram from Nehru on proposed 'roving commission' for Krishna Menon; Haroon arrives in U K; representations to Cabinet on food situation (paras 13 and 14), Burma situation	667
411 Wavell to Nehru Letter 592/58	5	Thanks for No. 407; is anxious to encourage union in Cabinet in every way	671
412 Nehru to Jinnah Letter	6	Gives views of some colleagues and himself on points relating to Interim Cabinet raised by Jinnah at their meeting the previous day	671
413 Jinnah to Nehru Letter	7	Refers to No. 412; feels they can make no further progress until formula agreed to by Gandhi is accepted	673
414 Wavell to Clow Letter	7	Thanks for No. 374; thanks root of political conflict is Muslim fear of economic and political domination rather than religious differences	674
415 Pethick-Lawrence to Cripps Letter	7	Sends letter from Nehru dated 27 September which is more optimistic about situation than No. 340	675
416 Nehru to Jinnah Letter	8	Refers to No. 413; Congress are prepared, for sake of settlement, to accept complete formula agreed to by Gandhi; they also agree to Leader of Central Assembly being a League member of Cabinet	676
417 Abell to Wavell Minute	8	(1) Conversation with Ghosh (a) on Ghosh's visit to Europe, (b) giving impression Congress were unenthusiastic about	677

<i>Name and Number</i>	<i>Date</i> <i>October</i>	<i>Main subject or subjects</i>	
417 (cont.)		coalition at Centre; (2) Conversation with U.N. Sen confirms impression of Congress attitude; (3) Isphani has told Scott Nehru adopted patronising attitude to Jinnah previous day	
418 Dow to Wavell Letter 281-G.B., para. 3 (extract)	8	Talk with Rajendra Prasad on danger that 'victimisation' issue will undermine authority of Ministry, value of Rajendra Prasad's work on food question	678
419 Bellenger to Pethick-Lawrence Letter	9	Refers to No. 334; regrets he must ask for run-down of British forces in India as planned to end of 1946	679
420 Nehru to Wavell Letter	9	Draws attention to actions of Wylie on Measures case, feels that friction between Wylie and U.P. Ministry cannot continue, says Interim Govt. takes serious view of happenings in Bengal and Sind; asks him to inform H M G. of their views	679
421 Wavell to Pethick-Lawrence Tel. 2137-S	9	Repeats text of message from Nehru to Aung San which says G. of I. is anxious to withdraw Indian troops from Burma and suggests Aung San visits Delhi to discuss subject, Wavell was not informed about this message	682
422 Wavell to Pethick-Lawrence Letter	9	Refers to Nos. 376 and 410, Nehru-Jinnah discussions; Krishna Menon's activities, Molotov's reply to Nehru's message, Sudhir Ghosh's return; mistake to pay too much attention to emissary of a single party, proposed visit by representatives of British Council, thanks Pethick-Lawrence for his help on food question, discussion between Auchinleck, Nehru and Baldev Singh on Indian troops abroad, talk with Brownell; Caroe in Delhi to discuss Nehru's proposed visit to N.W. Frontier, Measures case	683
423 G. of I., External Affairs Dept to S. of S. Tel. 8715	10	Sends text of letter from Molotov to Nehru in reply to message in No. 356 regretting that U.S.S.R. are unable to send India foodgrains but expressing readiness to develop friendly relations	
424 Note by Abell	10	B. N. Rau reports that only outstanding point in Nehru-Jinnah negotiations relates to appointment of minority representatives against any future vacancy; gives text of formula on subject drafted by Rau himself and accepted by Wavell	687
425 Laithwaite to Turnbull Minute	10	Sends note dealing with question of India's remaining in Commonwealth	688

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426 Pethick-Lawrence to Wavell Tel. 18203	10	Refers to No. 421; thinks he should point out to Nehru impropriety of sending this type of message without reference to Viceroy	691
427 Wavell to Nehru Letter 1342	11	Answers points in No. 420, says he exercises control personally over Governors when they act in their individual judgment and cannot share this responsibility with Interim Cabinet	692
428 Nehru to Wavell Letter	11	Refers to No. 427; asks whether Measures is to remain I G., Police, U.P., warns that if so other consequences will follow	693
429 Wavell to Pethick-Lawrence Tel. 2148-5	11	Transmits account Bhopal gave Abell of breakdown of Congress-League negotiations, gathers League may join Interim Cabinet without understanding with Congress, criticises Congress attempt to secure complete power in Cabinet	694
430 Wavell to Pethick-Lawrence Tel. 2149-5	11	Refers to No. 426, sends text of letter he has sent Nehru which points out that message should not have been sent to Aung San without consulting him and that it should have been addressed to Governor	695
431 Pethick-Lawrence to Wavell Letter	11	Refers to Nehru's message to Aung San, wonders about extent to which Nehru has been acting with approval of his colleagues, questions suitability of Krishna Menon to act as unofficial ambassador, sends details of Krishna Menon's talks with Molotov	695
432 Pethick-Lawrence to Wavell Letter	11	Refers to No. 391, anxiously awaiting developments in Congress-League negotiations; Wavell's latest correspondence with Gandhi, conversation with Colville on (1) his possible return to act as Viceroy (2) Services; sorry that Nehru is overworking himself, constitutional difference between Indian Interim Cabinet and Burma Executive Council with reference to Nehru's message to Aung San (paras. 7-10); G. M. Syed's complaint that officials were interfering in Sind elections; P. N. Banerjee's telegram on communal situation in Calcutta; Caroe's difficulties with Khan Sahib over interference with magistracy; use of Braund's talents in India; conferment of English honours and Indian titles on Indians	697
433 Jinnah to Nehru Letter	12	Refers to No. 416; claims their meetings were arranged on basis of formula in	701

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433 (cont.)		No. 413; does not understand why Congress was disturbed by No. 413; regrets they have failed to come to an agreement of their own	
434 Wavell to Pethick-Lawrence Tel. 2150-S	12	Asks for the King's approval for names Jinnah may suggest for Interim Cabinet	703
435 Note by Wavell	12	Interview with Jinnah covering outstanding points relating to Interim Cabinet; Jinnah's account of negotiations with Congress	703
436 Pethick-Lawrence to Wavell Tel. 18325	12	Refers to Nos. 429 and 434, feels it would be premature to obtain the King's approval for Jinnah's possible names until they know which Members of existing Cabinet will resign	705
437 Wavell to Jinnah Letter	12	Confirms that League are at liberty to nominate anyone they wish in their quota	706
438 Abell to Harris Letter 493	12	Sends copy of letter from Nehru to Wavell dated 11 October in which Nehru said he had telegraphed Aung San (No. 421) at suggestion of Auchinleck, does not see how relations with H.M.G. need come in way of their conferring with Govt. of Burma	706
439 Wavell to Pethick-Lawrence Tel. 2155-S	13	Sends account of his interview with Jinnah (No. 435)	708
440 Jinnah to Wavell Letter	13	League Working Committee do not approve basis and scheme of setting up Interim Govt. but have decided to nominate five Members to Executive Council	709
441 Wavell to Nehru Letter	13	Inform him League have agreed to nominate five persons for Interim Govt.; asks what changes he wishes to recommend to make room for them	710
442 Wavell to Jinnah Letter	13	Thanks for No. 440, asks for names of five League representatives	710
443 Nehru to Jinnah Letter	13	Says there are mis-statements in No. 433; will not go into them as he has been told League are nominating persons for Interim Govt.	711
444 Nehru to Wavell Letter	13	Is placing No. 441 before Cabinet for consideration; says they will need to know names Jinnah has suggested and terms in which he has conveyed League's decision	711
445 Note by Wavell	14	Conversation with Jinnah and Liaquat on 13 October on non-Muslim Scheduled Caste Member of Interim Govt. in League quota; Wavell says League participation in Govt. is conditional on reconsideration of Bombay resolution and acceptance of	712

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445 (cont.)		Statement of 16 May; question of Sikh by-elections	
446 Anderson to Turnbull Letter	14	Refers to No. 409; question whether India's remaining in Commonwealth is desirable	714
447 Croft to Heads of India Office Depts. Minute	14	Asks them to review subjects which should be included in Treaty No. 1 with India	715
448 Note by Wavell	14	Discussion with Nehru on League decision to join Interim Govt. and consequent changes in composition of Cabinet, Wavell seeks postponement of Nehru's visit to Frontier	720
449 Wavell to Pethick-Lawrence Tel. 2160-S	14	Reports talks in Nos. 445 and 448	722
450 Nehru to Wavell Letter	14	Refers to No. 440; stresses importance of Interim Govt. working as team; asks to know contents of No. 437 and Jinnah's list of names; Congress can then decide their policy	722
451 Nehru to Wavell Letter	14	Is distressed at situation in East Bengal and Calcutta	724
452 Bose to Wavell Letter	14	Encloses telegrams from Noakhali, asks for immediate action to be taken	725
453 Jinnah to Wavell Letter	14	Thanks for No. 442; sends names of five League nominees to Interim Cabinet	726
454 Pethick-Lawrence to Wavell Tel. 18400	14	Refers to No. 439, is anxious lest Congress refuses to remain in Interim Govt. on ground that member of Depressed Classes cannot be League representative, feels if such a nomination is made, Congress should be informed before nominations are approved by King	727
455 Pethick-Lawrence to Dalton Letter	14	Sends draft of telegram to G. of I. relating to remarks made in Washington by Dalton on Indian sterling balances negotiations, says they wish to avoid 'clarification' of H.M.G.'s relations with Interim Govt.	727
456 Wavell to Nehru Letter	15	Thanks for No. 450, sends copy of No. 437; says there have been no further assurances or explanations to Jinnah	729
457 Wavell to Burrows Tel. 2153-S	15	Mentions enquiries from Nehru and Bose on East Bengal disturbances; asks for report on situation which he can pass on to them	729
458 Wavell to Pethick-Lawrence Tel. 2162-S	15	Sends list of League names; asks for immediate approval; has mentioned possibility of Scheduled Caste among League nominations to Nehru who made no comment	729

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459 Caroe to Wavell Tel. CA 88	15	Thinks Jinnah should ask his followers not to stage counter-demonstrations during Nehru's tour of N.W. Frontier	730
460 Pethick-Lawrence to Wavell Tel. 18411	15	Further explains why he cannot obtain Royal Approval for Jinnah's nominations until list has been disclosed to Nehru	730
461 Wavell to Jinnah Letter	15	Hopes he will recognise undesirability of hostile demonstrations during Nehru's visit to N.W. Frontier and will influence local leaders accordingly; Nehru to make a point of welcoming coalition	731
462 Nehru to Wavell Letter	15	Stresses his concern at situation in East Bengal, wonders whether there is any purpose for him to be in Interim Govt. when such things can happen	732
463 Nehru to Wavell Letter	15	Sends names of three Congress representatives who are to retire from Interim Govt ; considers there should be as little disturbance as possible in arrangement of portfolios; in particular Patel should remain Home Member	733
464 Pethick-Lawrence to Wavell Tel 18429	15	Sends King's informal approval of League nominations in No 458, assumes there is no question of League being committed never to invoke intervention of Viceroy	734
465 Nehru to Wavell Letter	15	Raises no objection but tells him privately that he deeply regrets League's choice of representatives; considers League do not intend to work in a team spirit	735
466 Wavell to Pethick-Lawrence Tel 2186-5	15	Refers to No 464, has received requisite Congress resignations, confirms League are not committed in way mentioned	736
467 India Office Press Release	15	Text of announcement giving League decision to join Interim Govt.	736
468 Jinnah to Wavell Letter	15	Refers to No. 461, League views Nehru's visit to N.W. Frontier with disfavour and would prefer it postponed, no instructions have been issued to local organisation to demonstrate	737
469 Wavell to Pethick-Lawrence Letter	15	Jinnah determined to join Interim Govt.; value of coalition for country; Congress attitude to Interim Govt.; Nehru hints (No. 428) that Congress would have to resign over Measures case, Bhopal and Political Dept. agree draft rules for All-India Consultative Committee; Interim Cabinet agrees to the formation of an all-India Civil Service and an Indian Foreign Service; no sign Interim Cabinet wishes to withdraw S. African case from U.N ; opium smoking to be	737

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469 (cont.)		prohibited in British India; Nehru's message to Aung San	

CHAPTER 3

Inter-Party Government. Redistribution of portfolios; League Members join Interim Government; widespread communal disturbances; administrative strains and stresses; continued deadlock on the long-term plan: 16 October to 1 November 1946

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	<i>1946</i>		
	<i>October</i>		
470 Note by Wavell	16	Conversation with Jinnah on (1) League nominations to Interim Cabinet; (2) distribution of portfolios, (3) Jinnah's concern as to Congress attitude towards League in Govt., (4) Sikh by-elections; (5) long-term issue; (6) Bengal disturbances, (7) Provincial coalitions; (8) Honours	739
471 Note by Wavell	16	Conversation with Patel on: (1) Bengal and Bombay situations, (2) League nominations, (3) distribution of portfolios, (4) Congress attitude to New Year's Honours List	741
472 Burrows to Pethick-Lawrence Tel. 266	16	Reports that communal situation in district of Noakhali has deteriorated in previous fortnight, indicates measures being taken to deal with it	743
473 Pethick-Lawrence to Bellenger Letter	16	Thanks for No. 419, says it is not clear whether approval has been given for retention of major British Units at present in India	744
474 Wavell to Jenkins Letter 592/63	16-18	Says he may proceed with Sikh by-elections to Constituent Assembly	744
475 Burrows to Pethick-Lawrence Tel. 268	17	Reports that Bengal Muslim League condemns disturbances and Govt. is attempting to apprehend ringleader	745
476 Wavell to Bourne Letter 40/7 (extract)	18	Considers that League nomination of Scheduled Caste representative has been done to lay the foundations of a League-Scheduled Caste alliance in Group C	745
477 Pethick-Lawrence to Wavell Letter	18	Refers to No. 422; congratulates Wavell on getting League into Interim Govt.; explains reason why No. 460 was sent; Sudhir Ghosh (paras 6-8); Krishna Menon's 'roving commission'; Inverchapel's speech to <i>New York Herald Tribune</i> 'Forum';	746

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477 (cont.)		reception for Cripps and himself by London Majlis; Indian delegation to UNESCO Committee on Trade and Employment; Measures case; no substantial progress on compensation for S. of S.'s Officers	
478 Patel to Cripps Letter	19	Cripps' suggestion Ghosh is sent back to U.K. in more official capacity; Bengal communal situation; concerned because Provincial Autonomy prevents Central Govt. action; League's decision to join Interim Govt.	750
479 Minutes by Patel, Porter and Abell	19-23	Patel complains he was not informed of discussions on compensation for S. of S.'s Officers or the progress to date	751
480 G.-G. (Home Dept.) to S. of S. Tel. 9032	19	Patel wishes to know current position on termination of S. of S.'s Services and proposals for compensation	752
481 S. of S. to G.-G. (Home Dept.) Tel. 18721	19	Refers to No. 480, says compensation terms are still under consideration; possibility of terminating S. of S.'s Services before independence has not been considered in absence of information about new Services	752
482 Burrows to Pethick-Lawrence Tel. 273	20	Explains difficulties involved in suppressing East Bengal riots, believes number of deaths is not more than a few hundred; outlines three major problems they now face, reports that Dacca is quieter but tension is high in Calcutta	753
483 Patel to Wavell Letter	20	Draws attention to and encloses report of Ghazanfar Ali Khan's speech in Lahore; is concerned that League's entry will turn Govt. into arena for party intrigues and discussion of Pakistan; considers League should accept long-term arrangement before coalition comes into being	755
484 Attlee to Wavell Tel. 158 via India Office	21	Sends Cabinet's congratulations on achievement of Coalition Govt.	756
485 Attlee to Wavell Tel. 159 via India Office	21	Sends message of greetings and best wishes to reconstituted Interim Cabinet from H.M.G.	757
486 Minutes by Scott and Abell	21-2	Points of concern to League on procedure for framing constitution	757
487 Abell to Wavell Minute	22	Does not think it would be wise to ask H.M.G. to make statement that Sections will frame Provincial constitutions until they know all the assurances Jinnah seeks	759
488 Note by Wavell	22	Discussion with Jinnah on: (1) portfolios in Interim Govt.; (2) remaining assurances League required on long-term issue;	761

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488 (cont.)		(3) question of League statement condemning East Bengal disturbances	
489 Wavell to Nehru Letter	22	Cannot accept position on portfolios stated in No. 463; suggests they discuss subject later that day and that Nehru comes with full authority to settle matter for Congress	762
490 Note by Wavell	22	Discussion with Nehru on: (1) his visit to N.W. Frontier, (2) redistribution of portfolios in Interim Cabinet, (3) Jinnah's long-term intentions; (4) Sikh by-election; (5) East Bengal disturbances; (6) Honours; (7) Measures case	763
491 Lascelles to Wavell Tel (unnumbered)	22	Conveys King's congratulations to him	765
492 Wavell to Pethuck-Lawrence Letter	22	Refers to No. 432; redistribution of portfolios in Interim Govt., Jinnah accepts that League must reconsider Bombay decision (No. 86), East Bengal situation; Nehru's visit to N.W. Frontier, Colville; Viceroy's visit to Bombay; assessment of ability of Bombay administration to carry on without Congress support; Mudie to report on conduct of Sind elections; Interim Govt. abolishes Sali Tax, N. M. Joshi nominated to Assembly, compensation for British Officers of Indian Army	765
Wavell to Lascelles Letter	22	Comments on unpromising political outlook	768
Enclosure to No. 493 Wavell to King George VI Letter	22	Refers to Appendix to Vol. VII, survey of political and constitutional developments since Mission's departure; sketches of members of September Interim Cabinet; character of Cabinet Meetings, concern at Congress attempts to undermine his position, Bengal and Bombay disturbances; lack of enthusiasm of Gandhi and Nehru to working with League; negotiations with Jinnah over League's entry into Interim Cabinet, food situation; Honours	769
494 Nehru to Wavell Letter	23	Refers to No. 489; Congress feels strongly that it would be improper to make changes in External Affairs, Home and Defence portfolios; says that before portfolios are decided, League position on long-term plan and attitude to Interim Govt. should be cleared up	777
Wavell to Nehru Letter	23	Refers to No. 494; considers League are entitled to one of the three portfolios and seeks advice as to which it should be; has told Jinnah League's entry is conditional	780

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495 (cont.)		on acceptance of long-term plan; Jinnah has assured him League intend to co-operate	
496 Nehru to Wavell Letter	23	Refers to No. 495; reiterates his misgivings on League's attitude to long-term plan and Interim Govt.; concern at speeches by certain League leaders; passes on report that E. Bengal disturbances have been engineered by League; in circumstances is against giving any of the three portfolios to League but Congress offers Finance to them instead	781
497 Wavell to Pethick-Lawrence Tel. 2222-S	23	Sends summary of No. 494, concludes Congress will still do all they can to prevent League from entering Govt., warns he may have to return at short notice	785
498 Caroe to Wavell Letter GH-196	23	Gives detailed account of Nehru's visit to N.W. Frontier and of talk he had with Nehru	786
499 G-G. (Home Dept) to S. of S. Tel. 9168	23	Refers to No. 481, asks for early details of H.M.G.'s proposals to terminate S. of S.'s Services; reports that Provincial Premiers' Conference was of unanimous view that Services should be terminated without delay	792
500 Wavell to Pethick-Lawrence Letter 1331	23	Refers to No. 431, considers that nothing but embarrassment is likely to follow from Nehru's employment of Krishna Menon as his Personal Representative abroad	793
501 Wavell to Pethick-Lawrence Letter	23	Refers to No. 379, says proposal for further European recruitment to Services would be wholly unacceptable to Indian opinion, defends his breakdown proposals (No. 286) and gives assumptions on which they were based, considers there is need for definite plan to cover next 18 months, condemns policy of waiting upon events and then, if forced, withdrawing from whole of India as quickly as possible; asks for reconsideration of his proposals which are the best he can devise; hints at possibility of resignation; says if H.M.G. do not accept proposals, they must suggest alternative	794
502 G. of I., Home Dept. to S. of S. Tel. 9169	24	Sends text of Provincial Premiers' Conference Resolution mentioned in No. 499	799
503 Wavell to Nehru Letter	24	Thanks for No. 496; feels Finance should remain with Marthai; considers he must allot Home portfolio to League; hopes Interim Govt. will foster inter-communal co-operation	800

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504 Nehru to Wavell Letter	24	Refers to No 503, says Patel intends to resign if he is moved from Home portfolio and Congress could not continue in Office without him	801
505 Wavell to Nehru Letter	24	Refers to No 504; would regret so serious a decision and would have to report it at once to H.M.G., asking them to reconsider situation	802
506 Wavell to Pethick-Lawrence Tel. 2224-S	24	Informs him of state of negotiations over portfolios up to receipt of No. 504; way he intends to prevent deadlock; choice he would give League if there is deadlock	802
507 Nehru to Wavell Letter	24	Refers to No 505; says his colleagues agree with No 504, thinks H.M.G. should be fully informed of developments	803
508 Wavell to Pethick-Lawrence Tel 2226-S	24	Refers to No. 506, sends texts of Nos. 494 and 496, will see Jinnah to ask whether League will accept Finance portfolio	804
509 Wavell to Pethick-Lawrence Tel 2229-S	24	Refers to No 506, says Jinnah and Nehru have agreed to League taking Finance and Commerce, indicates outstanding points; says there could still be fresh objections	804
510 Nehru to Wavell Letter	25	Sends Congress nominations to three minor portfolios	805
511 Nehru to Wavell Letter	25	Says his colleagues consider their nominations in No. 510 should stand but that if they have to consider whole matter afresh, Matthai should remain Finance Member	805
512 Wavell to Jinnah Letter	25	Lists portfolios he can offer League	806
513 Jinnah to Wavell Letter	25	Refers to No. 512, gives League's nominations to the portfolios	806
514 Wavell to Nehru Letter	25	Informs him League have accepted portfolios offered them and sends copy of communiqué	807
515 Wavell to Jinnah Letter	25	Thanks for No 513	807
516 Pethick-Lawrence to Wavell Tel. 19046	25	Hopes news that there has been agreement on portfolios means immediate difficulties have been surmounted	808
517 Pethick-Lawrence to Wavell Letter	25	Refers to No 469; allocation of portfolios to League; Bhopal's negotiations with Jinnah and Nehru and Congress attitude to League; Ghazanfar Ali Khan; Measures case, Ambedkar's visit to U.K ; asks for estimate of probable course of events in Hyderabad, particularly Mirza Ismail's attitude to existing reform programme; prohibition of opium smoking in British India, compensation and termination of	808

CH. 3 INTER-PARTY GOVERNMENT

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517 (cont.)		S. of S.'s Services; ministerial responsibility for U.K. High Commissioner to India; Congress attitude to honours and desirability of completing action on January 1947 Honours List	
518 Scott to Abell Minute	26	Says Junnah wished to convey his and his colleagues' thanks to Wavell for his patience and kindness	
519 Dow to Wavell Letter 299-G.B., paras. 2-4	26	General disappointment that League have entered Interim Govt., attempts to sap Police discipline; tendency of Ministers to blame individual Members of Services for outbreaks of violence, danger of riots and bloodshed in next few months	812
520 Nehru to Caroe Letter	26	Encloses Note on his visit to Tribal Areas of N.W. Frontier, should be some 'proper' enquiry into violent attacks	814
521 Wavell to Pethick-Lawrence Tel. 2242-S	26	Reports that Patel wished to discuss Bengal situation at first meeting of new Cabinet including proposal for Viceroy to take over law and order in parts or whole of Bengal; says he refused to take subject in Cabinet but discussed it with Nehru, Patel and Rajagopalachariar afterwards, emphasising proposal would not help situation	825
522 Corfield to Abell Letter	28	Thinks it might be prejudicial to Hyderabad to raise its claim to Berar with Interim Govt; Enclosure 1: note by Herbert dated 17 October dealing particularly with question of Berar and proposing that H.M.G. might try to obtain Goa as compensation; Enclosure 2: letter from Mirza Ismail to Lothian expressing Hyderabad's anxiety on the position of Berar under Mission's scheme	826
523 Pethick-Lawrence to Cripps Letter	28	Refers to No. 478; has no reason to think Burrows has failed in his duty; would not go into Section 93 except under most pressing circumstances, hopes Ghosh will not return for a time	830
524 Dow to Pethick-Lawrence Tel. (unnumbered)	29	Reports outbreaks of communal riots in parts of Bihar including Bhagalpur	831
525 Bellenger to Pethick-Lawrence Letter	29	Refers to No. 473; states that total of British troops in India must not exceed Cabinet's ceiling but that Auchinleck may retain a larger number of major units at reduced strength if he wishes	831
526 Note by Wavell	30	Interview with Junnah on need for League Council's acceptance of 16 May Statement; Wavell says talk was completely unsatisfactory	832

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527 Wavell to Pethuck-Lawrence Tel 2269-S	30	Refers to Nos. 499 and 502; considers H.M.G. should send their proposals in next few weeks, suggests reply to No. 499; does not think they can keep S. of S.'s Services going after end of 1947	834
528 Nehru to Wavell Letter	30	Expresses concern at attitude of new League Members to Interim Govt.; explains why Congress may find it impossible to remain in Govt; U.P. Prime Minister and Measures case, would not be agreeable to League being offered Deputy Chairmanship of Cabinet Co-ordination Committee	835
529 Wavell to Nehru Letter	30	Answers points in No. 528, feels they can build spirit of accommodation in Interim Cabinet, U P. Ministry and Measures case; considers he is bound to offer Deputy-Chairmanship of C.C.C. to League	837
530 Tara Singh to Wavell Letter	30	Refers to No. 404, point 6; requests that Sikh Member of Interim Govt. should be in future appointed on recommendation of Sikh representative body rather than by consultation with Congress and League	838
531 Wavell to Attlee Letter	30	Asks whether he received No 212 as no reply has reached him, need for urgent answer to No. 501, tenseness of situation	839
532 Wavell to Pethuck-Lawrence Tel 2270-P	30	Informs him of Mirza Ismail's letter on Berar (Enclosure 2 to No 522), suggests they reply that Hyderabad should try to reach agreement on problem with British India and that H.M.G. will consider its position should there be no agreement	840
533 Wavell to Pethuck-Lawrence Tel 2280-S	30	Refers to No. 469, para 3, reports that Pant has asked to be relieved of Premiership of U P; believes Measures case is a test case for protection of Services; proposes to stand firm and allow U.P. Ministry to resign if necessary	841
534 Wavell to Pethuck-Lawrence Letter	30	Refers to No 477; Patel's wish to discuss Bengal at first meeting of new Cabinet, League Members unwilling to discuss Assembly business with Congress Members before that morning's Session; hopes Congress and League will be able to adjust their views before Cabinet meetings; distribution of portfolios in Cabinet; serious situation in Calcutta; Viceroy fails to secure joint appeal for communal peace from party leaders, Viceroy's broadcast appeal; Patel says in Assembly that constitutional position on Provincial matters was evolving; Congress Working	841

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534 (cont.)		Committee resolution on Bengal situation; Nehru's visit to N.W. Frontier; Interim Govt. discusses employment of Gurkhas in Indian Army; Zakaria's views in <i>Blitz</i> ; Ghosh's recent activity	
535 Pethuck-Lawrence to Attlee Minute 71/46	31	Sends No. 533, gives detailed account of Measures case; agrees with Wavell that it is test case, encloses draft reply to No. 533 which concurs in Wavell's proposed course of action; does not think Wylie could remain if ordered to give way	846
536 Jenkins to Wavell Letter 630, para. 3	31	Exaggerated reports of E. Bengal disturbances in Hindu Press, student procession in Lahore; irresponsibility of educated people in whipping-up anti-Muslim feeling	849
537 Monteath to Hollis Letter	31	Refers to No. 408; warns it cannot be assumed whole of India will stay in Commonwealth; argues that military aim may be better secured through treaty with independent India than by persuading her to remain in Commonwealth; feels such matters must be decided by Ministers	849
	<i>November</i>		
538 Wavell to Wylie Tel 167	1	Informing him that Patel had said Pant definitely intended to resign over Measures case and this would be followed by resignation of Congress Members of Interim Govt.; feels he will have to accept Measures' resignation but should try to vindicate his conduct	853
539 Pethuck-Lawrence to Wavell Tel. 19337	1	Has consulted Attlee and colleagues on No. 533, they consider every effort should be made to reach settlement with Pant and avoid his resignation, they feel Measures made two errors of judgement and think it difficult to refuse his resignation; they do not think case affects protection of Services	853
540 Pethuck-Lawrence to Wavell Letter	1	Asks for his views on proposal that an interim commercial convention should be negotiated with Interim Govt. to cover situation until a full commercial treaty can be concluded	855
541 Pethuck-Lawrence to Wavell Letter	1	Refers to No. 492; is relieved distribution of portfolios is settled, believes Hindus are using Bengal disturbances as means of inflaming anti-Muslim feeling; any move to make Krishna Menon Indian High Commissioner would be coolly received in London; Sudhir Ghosh; policy to be	858

SUMMARY OF DOCUMENTS

<i>Name and Number</i>	<i>Date</i>	<i>Main subject or subjects</i>	<i>Page</i>
541 (cont.)	November	followed by H.M.G. at U.N. on India's complaint against S. Africa (paras. 6-8); Indian and world cereals situation (paras. 9-11); Bevin to approach Byrnes on fairer distribution of food supplies from U S , briefing of Shone on matters relating to S. of S 's powers of direction and control (paras 13-15); January 1947 Honours List; talk with Glancy; Enclosure: Note supplied to Shone on subjects requiring special caution	
APPENDIX			
Abell to Turnbull Letter	17 July	Wavell agrees with recommendation that they should stop using the formula 'Viceroy should see' in telegrams	865

Sir E. Jenkins (Punjab) to Field Marshal Viscount Wavell

R/3/1/116: ff 8-9

TOP SECRET AND PERSONAL

BARNES COURT, SIMLA,

D.O. NO. G.S. 359

3 July 1946

Dear Lord Wavell,

Your Excellency spoke to me yesterday about the renewal of the attempt to form an Interim Government, and I discussed the matter afterwards with Abell. My views are briefly as follows:—

(1) The pledge in paragraph 8 of the Statement of 16th June¹ is to form an Interim Government "which will be as representative as possible of those willing to accept the Statement of 16th May".²

(2) The Statement of 16th May was accepted by the Muslim League and the Congress, though the Congress made it clear that they interpreted it differently from its authors. The Sikhs, who, though not a "major party", were accorded separate recognition in the Statement of 16th May, have not accepted. They were not formally called upon to do so, but the speeches of the Sikh leaders have made the position of the community clear.

(3) It is probable, though not certain, that all Provincial Legislative Assemblies will this month elect their representatives in the Constituent Assembly, and that the Muslim League, the Congress and (in the Punjab) the Sikhs will participate fully in the elections. No party will lightly take the risk of a boycott, which might have the most peculiar results.

(4) The completion of the elections will have a very limited significance. The main object of the parties will be to protect themselves from their opponents, and having achieved this object all or any of them may boycott the Constituent Assembly.

(5) For the formation of the Interim Government, however, the completion of the elections seems to be the only possible starting point. The parties, including the Sikhs, are inclined to argue about the meaning of "acceptance" of the Statement of 16th May; participation in the elections, if not followed immediately by a declared boycott of the Constituent Assembly, is perhaps a sufficient acceptance.

(6) If Your Excellency agrees that the attempt to form the Interim Government should be made immediately after the elections, then it might be wise

¹ Vol. VII, No. 550.

² Vol. VII, No. 303.

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to inform Jinnah, Azad, and possibly Baldev Singh of this now, and ask them to endeavour to steer their parties away from any definite commitments until the elections are over. Your Excellency said you intended to write to Azad on these lines, and I think the idea sound.

(7) As soon as the elections are over Your Excellency should I suggest send for Jinnah and seek his advice. Jinnah is in a very bad temper at the moment, and although the charge of bad faith is without foundation nearly all Muslims and many intelligent Hindus think that he has been outwitted. You should tell Jinnah that you stand by the pledge referred to in (1) above, and must make an effort to bring in both the League and the Congress. Jinnah may (a) refuse to cooperate at all; (b) offer to cooperate with you but not with the Congress; or (c) say that he is ready to have another try.

(8) In position (a) you would have to invite Congress to form the Interim Government without the League. In positions (b) and (c) you would have to explain the position to the Congress and endeavour once more to bring the parties together.

(9) After you have seen Jinnah, your initial contact with the Congress will presumably be with Nehru (who will by then be President), and should, I suggest, be by personal letter.

(10) Further large-scale conferences should be avoided—though the parties will no doubt want their Working Committees to meet at some stage in Simla or Delhi as the case may be.

(11) If some contact could be maintained with the Sikhs throughout it would help both in the Punjab and generally. This is not a parochial point of view, since the Sikhs can seriously obstruct any agreed arrangement in the Punjab, and the Punjab is vitally important to the League. If Jinnah and Nehru would accept some safeguards for the Sikhs things would be much easier.

2. To sum up I see no alternative to a first approach to Jinnah who accepted both Statements, and who feels that he has been badly treated. After that approach has been made Nehru should be brought in. If anything can be done directly or indirectly to sweeten the Sikhs and so to improve communal relations in the Punjab, the Muslim League position here will be much easier and the hopes of cooperation between the communities in the Constituent Assembly will be greater.

Yours sincerely,

E. M. JENKINS

JULY 1946

Field Marshal Viscount Wavell to Maulana Azad

L/PO/10/23

PRIVATE AND PERSONAL

VICEROY'S CAMP, SIMLA, 3 July 1946

My dear Maulana Saheb,

I am writing you this strictly personal letter, because I am anxious that the forthcoming meeting of the A.I.C.C. should not result in that body giving to the President a mandate such as would make the fresh negotiations for a coalition government almost impossible.

I am quite convinced, as I am sure you also are, that a coalition government with the participation of the two main parties is the only type that can be effective during the interim period; and I mean somehow to secure one, which will be representative of both the Congress and the Muslim League. But if the A.I.C.C. pass resolutions which will make the negotiations even more difficult than they were recently in Simla and Delhi, it will be most unfortunate and most detrimental to the interests of India. I do hope that moderate views will prevail. I am confident that you will do your best; I realise your difficulties and wish you good fortune in dealing with them. I very much appreciated your attitude during the recent negotiations and the efforts you made, and the sacrifices you were prepared to make, to secure agreement.

On another matter, you will remember that I spoke to you at Delhi about the tendency of the Bengal Press to cause unnecessary alarm about the food situation, and thus to create a tendency towards hoarding and high prices. You promised help; and I hope that during your visit to Calcutta you were able to use your influence to steady the situation. From the reports I receive I see no reason to apprehend any famine in Bengal if public confidence is maintained. I am writing to you separately about this.¹

With best wishes.

Yours sincerely,

WAVELL

¹ Lord Wavell's letter of 5 July 1946 to Maulana Azad on the Bengal food situation is in Wavell Papers, Official Correspondence: India, January 1946-March 1947, pp. 120-1.

3

Mr Gandhi to Mr Attlee

Attlee Papers. University College, Oxford

POONA, 3 July 1946

Dear Prime Minister,

I wonder if you can remember an Indian being introduced to you by the late Mr MacDonald. That was the present writer. On the strength of that slight acquaintance, I make bold to introduce to you my young friend Shri Sudhir Ghosh. He makes a reliable and steady bridge between Great Britain and India. He loves both passionately. He has made wide British connections. And he made himself a willing instrument in the hands of your mission. At their instance he goes to England. I have wished Godspeed to his self imposed mission. He thinks he will interpret India as he knows it. Incidentally he has to interpret me to the best of his ability. To interpret a person is much more difficult than to interpret organisations. I can only say, may God bless his effort and give his tongue the right word.

I hope the great weight you are carrying sits lightly on you.¹

Yours sincerely,

M. K. GANDHI

¹ The India Office forwarded this letter to the Prime Minister's Private Office on 3 August with the following comment:

'In his letter Mr. Gandhi asks the Prime Minister to see Mr. Ghosh. The Secretary of State told him (Ghosh) that we would of course pass the letter over to you but that it was clearly out of the question for the Prime Minister to find time to see him in the near future.'

Clauson to Burke, 3 August 1946. Attlee Papers, University College, Oxford.

Mr Clauson to Mr Morris¹

L/S&G/7/752: f 16

INDIA OFFICE, 3 July 1946

Dear Morris,

In the last paragraph of Mr. Henderson's minute of the 18th June he referred to the information about the approximate numbers of Europeans to be lifted from India in the event of total evacuation given in paragraph 5 of the telegram from the Viceroy No. 1301-S dated 15th June.²

A further telegram³ has now been received from the Viceroy revising the figures previously given. It is now estimated that the number of Europeans

is 96,081 and not 44,537 as given in the telegram mentioned above and also in the minutes of the meeting of the Defence Committee on the 14th June.⁴

The Viceroy considers that the revised figures are exaggerated, but is satisfied that the earlier figures were too low. He adds that exact information would be difficult to obtain. But, as the figures are necessarily affected by the number leaving India each month it will be necessary to call for a somewhat closer estimate should the question of general evacuation again arise.

I am sending a copy of this letter to the Private Secretaries at 10, Downing St., the Admiralty, the War Office, the Air Ministry, the Cabinet Office and to General Ismay.⁵

Yours sincerely,

M. J. CLAUSON

¹ Private Secretary to the Minister of Transport.

² Mr Henderson's minute to the Minister of Transport and Lord Wavell's telegram to the India Office, discussing details of the situation regarding civilian passages from India, are on L/S&G/7/752. This correspondence arose from a minute from the Prime Minister to the Minister of Transport, dated 7 June 1946, in which he referred to para. 25 of No. 442 in Vol. VII and asked the Minister of Transport to go into the question of planning for the emergency removal of Europeans from India 'as a matter of urgency' and in particular to take 'immediate steps to expedite passages home of women and children of whom there are long waiting lists.' L/S&G/7/752: f 30; see also para. 8 of No. 465 in Vol. VII.

³ Tel. 1393-S of 28 June. L/S&G/7/752: f 18.

⁴ No. 527 in Vol. VII.

⁵ The Ministry of Transport replied on 19 July that: 'The position is that the revised estimate would require very drastic alteration of the "emergency" planning. In view of the opinion of the Viceroy, which you quote, to the effect that the revised figures are exaggerated, we should feel it necessary to discount the estimate heavily, and in view of the further statement in your letter to the effect that it will be necessary to call for a somewhat closer estimate should the question of general evacuation arise, the view taken here is that we should defer further action for the present.' L/S&G/7/752: f 15.

5

Sir E. Jenkins (Punjab) to Field Marshal Viscount Wavell

R/3/1/132: ff 97-100, 102

SECRET

No. 612

BARNES COURT, SIMLA,

4 July 1946

Dear Lord Wavell,

Sardar Baldev Singh this morning handed me two letters dated the 2nd and 3rd July respectively, of which I enclose copies.

The first of these letters recommends for consideration a scheme propounded in a recent article in the *Hindustan Times* for the amalgamation of the Sikh States in the Punjab into a single group. You will see that the writer of the article included in his scheme Patiala, Nabha, Jind, Malerkotla (which has a Muslim Ruler), and Faridkot, but excluded Kapurthala, which is separated from his

new group by British territory. He proposed to "compensate" his new group by transferring to it the Moga tahsil of the Ferozepore district and a small area belonging to the Kalsia State. Sardar Baldev Singh would include Kalsia and Kapurthala in the new group, but he has possibly not thought the matter out in any detail.

It seems to me that a proposal of this kind would in the first instance be for the Rulers of the States concerned. As far as I know, there is nothing to prevent the grouping of States for constitutional and administrative purposes, and in the India of the future the position of the Punjab States would be much stronger if they stood together as a single unit. It is probable, however, that dynastic sentiment would stand in the way of any drastic change. Moreover, the idea underlying the article and Sardar Baldev Singh's letter is, I think, that the Sikh States might form a rallying point for the Sikhs of the Punjab and enable them, if they so desired, to carve out a Sikh unit for themselves. Sardar Baldev Singh makes at the same time the rather difficult suggestion that pressure should be brought upon the Rulers of the Sikh States to employ Sikh Prime Ministers.

2. The letter of 3rd July works up to the suggestion that in any review in Parliament of the work of the Cabinet Delegation it should be made clear that the Sikhs will be given (presumably in Section B) the same safeguards as have been given to the Muslims in the full Constituent Assembly.

3. When he handed me these letters Sardar Baldev Singh asked me if I would see Giani Kartar Singh, and I agreed. I had an hour with Giani Kartar Singh this afternoon. He said that the Sikhs were gravely hurt at the treatment they had received. They had already had some experience of Muslim rule in the Punjab and felt that in the future when British control had been withdrawn they would be in very serious danger. I asked him what special complaints the Sikhs had against the Unionist Ministry (I knew the answers, but the complaints are on the whole so trivial that it was worth while to ask the Giani to restate them). He said that in spite of the Sikander-Baldev Singh Pact the Unionist Ministry had failed to permit the general use of Jhatka meat, especially in Police Lines and Jails; had never found adequate funds for the teaching of Gurmukhi at the public expense; had not lived up to their promises about Sikh representation in the services and in the Ministry; had shown discrimination against the Sikhs in respect of school fees and educational grants; had refused to recognise Punjabi as the official Court language and as the medium of instruction in Sikh districts; and had tolerated discrimination against the Sikhs in law and order matters, this discrimination being due to the predominantly Muslim composition of the Police.

I said that all these grievances could be remedied quite easily and were not worth fighting about. Giani Kartar Singh replied that the Sikhs were not at the

moment worried about these grievances, though their removal would give some satisfaction. Their anxiety was about the future rather than the past. They felt that if the Unionist Ministry, working under the 1935 Constitution and with a British Governor at its head, could disregard Sikh interests so radically, a Muslim League Ministry intent on achieving Pakistan would oppress the Sikhs and make sure that they were unable to develop on their own lines.

I then trotted out the familiar arguments about the political realities. I asked the Giani if he really thought that the Sikhs could have any dominating influence at the Centre—for example whether it would have made any difference if they had been allowed to elect ten representatives to the Constituent Assembly instead of four. He agreed that the Sikhs could not in any circumstances have influenced the Central decisions. I then pointed out that if instead of losing their tempers the Sikhs had waited on events, they would very shortly have received flattering offers both from the Muslim League and from the Hindus. The reasons which made the Sikhs weak at the Centre made them strong in the Punjab, and no stable Government could be maintained in the Punjab without a good deal of Sikh support. The Giani replied that there was no doubt a lot in what I said, but that my arguments applied to the Muslims in India as a whole just as much as to the Sikhs in the Punjab. The Muslims had demanded safeguards on an all-India scale and had got them. The Sikhs could not understand why the Cabinet Delegation had refused them similar protection. He then worked up to his specific proposals which were:—

(1) that in any statement made to Parliament by H.M.G. it should be made clear that the Constitution framed by the Constituent Assembly would not be recommended for approval by Parliament unless it gave adequate protection for the minorities, and particularly protection for the “political, economic and military rights” of the Sikhs; and

(2) that Your Excellency should, immediately after the elections to the Constituent Assembly, confer with the leaders of Indian opinion and secure their consent to safeguards for the Sikhs in Section B. You should then send a message to the Constituent Assembly at its first session, pointing out that the Sikhs were under a strong sense of grievance and asking for the Assembly’s advice on the desirability of allowing them the safeguards for which they ask.

On point (1) I said that I thought H.M.G. might find it impossible to make a statement of the kind suggested. The Congress had insisted on the sovereignty of the Constituent Assembly and, as far as I knew, H.M.G. would not wish to interfere with the Assembly’s proposals and would certainly not commit themselves to doing so now. Giani Kartar Singh referred me to a passage in the explanatory statement issued by the Cabinet Delegation and Your Excellency on the 25th May, which runs as follows:—

“Once the Constituent Assembly is formed and working on this basis, there is no intention of interfering with its discretion or questioning its labours.

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His Majesty's Government will recommend to Parliament such action as may be necessary for the cession of sovereignty to the Indian people, subject only to two matters which are mentioned in the Statement and which we believe are not controversial, namely, adequate provision for the protection of the minorities (paragraph 20 of the Statement) and willingness to conclude a treaty with His Majesty's Government to cover matters arising out of the transfer of power (paragraph 22 of the Statement)."

The argument is that the words underlined justify an immediate Statement in Parliament.

On point (2) I said that I had throughout had a strong impression that the Congress and the Muslim League would be prepared to make concessions to the Sikhs. The Giani replied that the Congress were willing now to make concessions (Sardar Baldev Singh has shown me a letter from Patel to Niranjan Singh Gill promising Congress support, and the Sikhs are pressing for a resolution on this subject to be passed by the A.I.C.C.). At the earlier stages of the negotiations Jinnah had been very anxious to come to terms with the Sikhs, but the Giani had been advised by Moon and Short to make no move. He did not know what Jinnah's attitude would be now, but the Sikhs generally supposed that he would ask them to pay too high a price. Jinnah's object was Pakistan and he would no doubt offer substantial concessions if the Sikhs would agree to perpetual Muslim domination. The Giani explained that it was for this reason that he had suggested discussions between Your Excellency and the leaders of Indian opinion, as he did not want the Sikh case to stand or fall on Jinnah's view of it, which was tainted by Muslim ambitions.

Giani Kartar Singh was friendly and reasonable throughout our conversation. I rather think that the Sikhs are not as united as they are trying to make out and that some of them at least would welcome an opportunity of changing their front. But after all the nonsense they have talked during the last few weeks they dare not counsel moderation unless we give them something to explain the sudden change.

4. I shall be grateful for guidance as to the reply to be given to Sardar Baldev Singh's letter of 2nd July about the Sikh States. I suggest that he might be told that this letter has been forwarded to your Excellency and that I understand it will be examined by the Political Department. It would, however, be impossible to force the Rulers concerned into a single group, and the move, to be effective, would have to come from them.

Sardar Baldev Singh's letter of 3rd July and Giani Kartar Singh's first point are approximately the same. I do not think that any Member of the Cabinet Delegation or any other representative of H.M.G. could make a statement in Parliament modifying the statements of the Cabinet Delegation. It might be possible to arrange a question in general terms about the Sikh grievance, to

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which the Secretary of State could reply that Your Excellency had been asked to go into the matter with the Sikh leaders and other leaders of Indian opinion. The appropriateness of such a question depends, however, upon Your Excellency's view on Giani Kartar Singh's second point.

Giani Kartar Singh's second point is really a variation of the recommendation I have already made¹ that during the renewed negotiations about the Interim Government Your Excellency might ascertain from the Congress and the Muslim League whether they would have any serious objection to the provision of safeguards for the Sikhs in Section B. I do not think that such safeguards would make any practical difference, since it is highly probable that the Congress will take the Sikhs under their wing in the Constituent Assembly and will treat any serious Sikh objection to any proposal as a "major communal issue". As I have explained above, what Giani Kartar Singh wants is a face-saving announcement of some kind. It is quite possible that in the circumstances the Muslim League and the Congress would raise no objection, and if this view is right, the matter could be put to the first meeting of the Constituent Assembly.

If Your Excellency decides to endeavour to do something for the Sikhs, it would, I suggest, be wise to tell them so now. I am in favour of helping them, if possible, because their position in the Punjab makes them temporarily of some all-India importance.

Yours sincerely,
E. M. JENKINS

Enclosure 1 to No. 5

Sardar Baldev Singh to Sir E. Jenkins

SIMLA, 2 July 1946

My dear Sir Evan,

Your Excellency will remember some days ago I discussed the position of the Sikh and other Punjab States under the future constitution. I write this letter to explain my views further.

May I say a few words as to the origin of Sikh States and how in course of time, since the British advent, they lapsed from the role that was once theirs. The Sikh States were the centre of Sikhism, the Phulkian States being connected actually with our Gurus. They were a vital link in the evolution of Sikh history and the Sikhs were both proud and conscious of it. With the occupation of the Punjab by the British the situation in Sikh States began to deteriorate and—without going into details—it was not without much agitation that an improvement was noticeable and some of the Rulers began to revert to Sikh tradition. This tradition, in its last analysis, rests on the Sikh character of administration. This in the past had more or less gone. Today only two Rulers

¹ See No. 1.

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have Sikhs as their Prime Ministers. The others remain indifferent. In fact the Ruler of Jind, one of the Phulkian States, has ceased to follow Sikh precepts. The same is unfortunately also true of Kapurthala. How the Sikhs feel towards those who thus fall away, you with your experience of the districts in this Province must know fully. The Sikhs ascribe these lapses to the employment by Rulers of non-Sikhs as their chief advisers. It is a pity the Political Department of the Government of India did not give due heed to this aspect of the problem in our States and that the wishes of the Sikh community have been ignored.

But I see a bright future for these States under the new Constitution. Paramountcy will go when the new Constitution comes in. Not only the States will not exist as separate units, but the Rulers thereof will have to respond to popular public opinion. The system of Grouping, already introduced by the Paramount Power elsewhere, is inevitable this side also, and I see no alternative for Patiala, Jind, Nabha, Malerkotla, Kapurthala, Faridkot, Kalsia and perhaps also the other adjacent small States but to form themselves into one Group. The point of interest to my community is that in this Group, the population of Sikhs will be well-nigh half; it should not be difficult when organising it to ensure the restoration of a healthy Sikh tradition.

In this connection an article has been recently published in the *Hindustan Times*. I enclose its copy.² Its broad outline is the same as I discussed with you. I do not of course approve of all the suggestions made here, but its general trend is worth careful study.

If a scheme on such broad lines is adopted, it will, I feel sure, hearten the Sikhs for obvious reasons. The scheme, I may say, is not likely to upset any of the major political parties. I hope you will give the matter your sympathetic consideration and forward it to H.E. the Viceroy with your commendation.

Yours sincerely,

BALDEV SINGH

Enclosure 2 to No. 5

Sardar Baldev Singh to Sir E. Jenkins

SIMLA, 3 July 1946

My dear Sir Evan,

I am grateful to Your Excellency for the sympathy you have shown for the Sikh community in the plight in which they have been put by the Cabinet Mission's proposals. Unfortunately the matters still remain where they were, and it has so far not been possible to persuade the Delegation to modify the Statement of May 16th as demanded by the Sikhs. You know well how gravely the Sikhs have been disturbed. Their mood is desperate and as things stand at present they may well resort to acts of a highly embarrassing nature. It is my earnest wish to find a way out of this distressing situation. The British Govern-

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ment will, it seems clear, now once again review the situation when the Delegation is back in London. I do hope that you as the Governor of our Province will do all that is possible to acquaint H.E. the Viceroy with the existing depth of feelings in the community and with his help obtain from the British Government the just reliefs the community demands.

I may say that the correspondence between the Viceroy and Mr. Jinnah on the one hand and the Congress President on the other will further upset the Sikhs. When Master Tara Singh and I met the Cabinet Mission on June 6th³ we were told that it was impossible to alter the Statement of May 16th for fear of fresh complications. From the correspondence it seems that the Muslims have been given concessions far in excess of the implications of the Statement itself. For instance, the two major parties have obtained the right of having their say in the selection of Executive Councillors from the Minorities. This clearly is an encroachment on Sikh rights and reduces the community to an inferior status. Further, the League appears to also claim a veto in communal matters even in the Executive Council. Should this be ultimately conceded, it will contravene the spirit and letter of the statement of May 16th, which gives us a status of equality with the other two communities.

I am sure, you will appreciate this. The error is grievous and should be rectified. The Sikhs hold that there is no reason why they should be relegated to a subordinate role in their own Homeland and that in any review under contemplation in London they should be accorded the same rights as have been conceded to the other two communities.

Yours sincerely,
BALDEV SINGH

Not printed ³ See Vol VII, No. 463.

Statement by the European Party in the Bengal Legislative Assembly dated 5 July 1946

L/PEJ/5/337: pp. 550-1

"As the two major Indian political parties have come to no agreement on the exercise by the European party in the Bengal Assembly of their votes in the forthcoming elections to the Constituent Assembly, and as, on the contrary, to exercise their franchise seems likely to be a continuing source of discord, the European party in the Bengal Assembly, in accordance with their previously expressed policy, and sincerely hoping that their decision will contribute to the successful working of the Constitution-making machinery by all the Indian political parties, have decided to abstain from voting in the forthcoming elections to the Constituent Assembly."

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Cabinet C.M. (46) 65th Conclusions, Minute 1

L/P&J/10/73: ff 343-4

Those present at this Meeting held at 10 Downing Street, S.W. 1, on 5 July 1946 at 12 noon were: Mr Attlee (in the Chair), Mr Herbert Morrison, Mr Arthur Greenwood, Mr Hugh Dalton, Sir Stafford Cripps, Mr A. V. Alexander, Lord Jowitt, Mr J. Chuter Ede, Viscount Addison, Lord Pethick-Lawrence, Mr G. H. Hall, Mr J. J. Lawson, Mr G. A. Isaacs, Miss Ellen Wilkinson, Mr T. Williams

Also present were: Mr John Strachey, the Earl of Listowel, Mr P. J. Noel-Baker, Mr William Whiteley

(Previous Reference: C.M. (46) 59th Conclusions, Minute 3)¹

THE PRIME MINISTER, on behalf of the Cabinet, welcomed the members of the Cabinet Mission to India on their return to this country, and conveyed to them the congratulations of the Cabinet on the great measure of success which they had achieved by the exercise of much patience and in the face of great difficulties.

THE SECRETARY OF STATE FOR INDIA, on behalf of the President of the Board of Trade, the First Lord of the Admiralty and himself, expressed his thanks to the Cabinet. He then gave the Cabinet a full account of the course of the Mission's discussions in India. The result of these discussions was that both Congress and the Muslim League had accepted the long-term solution proposed by the Mission in their statement² issued on the 16th May (Cmd. 6821) but that it had not been possible to form an interim coalition Government. The Viceroy proposed to resume negotiations on this latter point after a short interval, during which the elections for the Constituent Assembly would be taking place. Meanwhile, he had formed a temporary caretaker Government of officials.

At the conclusion of his account of the Mission's work the Secretary of State said that there were doubts how far the long-term solution would work. Much would depend on the attitude of the leaders of the two main Parties. The Viceroy was inclined to be pessimistic about this, but he himself thought that both Parties would try to work the plan.

—

THE PRESIDENT OF THE BOARD OF TRADE added that one of the most striking features of the present situation in India was the change of temper among Indian politicians. While they were still very suspicious of one another, they now for the first time seemed to accept the sincerity of our efforts on India's behalf

As regards the prospects of forming an interim coalition Government, THE SECRETARY OF STATE FOR INDIA doubted whether Congress could now be persuaded to enter a Government on the lines set out in the statement issued by the Cabinet Mission on the 16th June.³ On the other hand, it was equally doubtful whether the Muslim League could be persuaded to enter a Government on any basis less favourable to them. The problem was thus a most difficult one, and it would be necessary for the Cabinet to consider it in more detail with a view to formulating guidance for the Viceroy. It was most desirable to secure a coalition Government during the interim period if it was at all possible to do so.

THE SECRETARY OF STATE said that he proposed to publish as a White Paper the correspondence which had taken place with Congress and the Muslim League since the 16th May.

Questions were asked about the possibility of disturbances in India in the near future. At one point during the course of the negotiations certain military dispositions had been made against this possibility. Was it necessary that they should still be continued?

The views of the Mission were that the feeling of insecurity was much less now than it had been a month ago, but that this improvement might not last if the Viceroy was not successful in forming a coalition Government.

The Cabinet then discussed, in the light of the statement by the Secretary of State for India, the procedure to be followed in Parliament. Parliament would no doubt expect a statement from Ministers, which would necessarily be of some length, and the Opposition had also asked for a debate. It would be inconvenient to hold a large-scale debate at this stage, as statements might be made which would make the task of the Viceroy more difficult; but it was recognised that Parliament would expect to have some opportunity to comment on the Ministers' statement. The risk of embarrassment would be reduced if the Prime Minister and members of the Mission could see the leaders of the Opposition in both Houses before the debate took place. In any event it would be better, from the point of view of the negotiations in India, that the debate should take place soon rather than at the end of July.

The Cabinet—

- (1) Recorded their warm appreciation of the services of the Secretary of State for India, the President of the Board of Trade and the First Lord of the Admiralty, as members of the Cabinet Mission to India.
- (2) Agreed that a White Paper should be issued containing the correspondence with Congress and the Muslim League since 16th May.⁴
- (3) Agreed that it would be necessary to arrange for a debate on India to be

¹ Vol. VII, No. 557.

² Vol. VII, No. 303.

³ Vol. VII, No. 550.

⁴ The White Paper appeared under the title *Correspondence with the Congress Party and the Muslim League, 20 May–29 June, 1946*. (Cmd. 6861.)

held in the House of Commons, and possibly in the House of Lords; and that it would be preferable that such debates should take place in the near future rather than at the end of July.

- (4) Took note that, in the first instance, the Prime Minister and the members of the Mission would discuss the position informally with leaders of the Opposition in both Houses.
- (5) Took note that a memorandum would be submitted to the Cabinet by the Secretary of State for India on the guidance to be given to the Viceroy as to the lines he might follow when he renewed his negotiations for the formation of an interim coalition Government.
- (6) Took note that the question of maintaining special military dispositions to meet possible disturbances in India would be further considered at the meeting of the Defence Committee to be held that afternoon.

Cabinet

Defence Committee. D.O. (46) 21st Meeting, Minute 4

R/30/1/8: ff 5-6

Those present at this Meeting held at 10 Downing Street, S.W. 1, on 5 July 1946 at 3.30 pm were: Mr Attlee (in the Chair), Mr A. V. Alexander, Mr J. J. Lawson, Mr John Wilmot, Mr P. J. Noel-Baker, Sir Edward Bridges, Admiral Sir John H. D. Cunningham, Field Marshal Viscount Montgomery, Marshal of the Royal Air Force Lord Tedder, General Sir Hastings L. Ismay

Situation in India

THE PRIME MINISTER recalled that when, on the 14th June,¹ the Defence Committee were considering the Chiefs of Staff report² on the Military Implications of Alternative Courses of Action suggested by the Cabinet Delegation in India, they invited the Chiefs of Staff to prepare plans to meet the situation if the worst case envisaged were to arise. Since then the situation had improved considerably over what they had feared previously might result in a general breakdown. The Chiefs of Staff had therefore asked if the L.S.T. IIIs and other naval vessels which had been retained in India to meet this emergency might now be allowed to proceed to the United Kingdom, and also if the preparation of plans to reinforce India with five British divisions could be discontinued.

THE FIRST LORD OF THE ADMIRALTY said he would counsel not to come to a decision on these questions too quickly. Undoubtedly the situation was

better than at one time had appeared likely, and it was unlikely to reach the worst case envisaged by the military advisers. Nevertheless, it was difficult to forecast what would happen in the next few weeks as if there were undue difficulties in forming an interim government, it might lead to serious internal disturbances in India between the various political parties. He asked that if present precautions were relaxed, what reinforcements could be made available at short notice in the event of serious trouble.

THE CHIEFS OF STAFF explained that the return involved only 2 L.S.Ts and that 5 would remain available west of Singapore. The reasons for this were mainly in connection with demobilisation. The return of the aircraft-carrier "Vengeance" would, to some extent, be offset by other aircraft-carriers en route from time to time from Australia. They also expressed the opinion that any outbreaks which occurred between now and the attainment of independence by India could probably be dealt with, providing they did not reach serious proportions, with forces available in India and from South-East Asia Command.

THE PRIME MINISTER said he thought the present situation in India and so far as could be at present foreseen any future events which might occur would not be sufficiently serious to continue with the plans which had been made to deal with the worst situation. He therefore suggested that the Chiefs of Staff request could be accepted.

[There] was general agreement with this view.

THE COMMITTEE:—

- (a) Agreed that the 2 L.S.T. IIIs and the aircraft-carrier "Vengeance" due to return to the United Kingdom could now proceed.
- (b) Authorised the Chiefs of Staff to discontinue the preparation of plans for the reinforcement of India by five British divisions.

*Fortnightly Report of the Secretary¹ to Government (Home Department) Bombay
(Extract)*

L/P&J/5/167: f 77

CONFIDENTIAL

HOME DEPARTMENT (SPECIAL),

D.O. NO. S.D.—P. 41.

POONA, 6 July 1946

2. POLITICAL.—The main topic of discussion in political circles was the joint statement issued by the Cabinet Mission and His Excellency the Viceroy on June 16th and the subsequent developments. The immediate reaction to the statement was generally favourable. There was a feeling that it was in the nature of a compromise and that in view of the circumstances of its origin it deserved serious consideration by the two major parties. Muslim reaction was naturally more favourable than that of others but moderate Congress opinion appeared to be in favour of accepting the proposals for the interim Government subject to the replacement of Mr. Harekrishna Mehtab and Sir N. Engineer, two surprise choices. Congressmen were not pleased at the absence of a Nationalist Muslim from the list but it is unlikely that opinion would have hardened on this matter if it had not been for the publication of the correspondence between Mr. Jinnah and His Excellency the Viceroy. The implications of this correspondence and in particular the feeling that the League was allowed to choose its quota and that the same privilege was being denied to Congress caused considerable irritation and nationalist opinion in the Province strongly supported the stand taken by the High Command.

The news of the rejection by the Congress Working Committee of the plan for Interim Government had a mixed reception in the Province. While the League and moderate circles were deeply disappointed, Congressmen were of the opinion that the rejection was inevitable and that the national character of the Congress was at stake. The Congress Socialists, who always disbelieved in the good intentions of the Mission, welcomed the rejection and regretted that a similar decision was not arrived at in regard to the long-term plan. Great satisfaction was, however, expressed in all other political camps at the unconditional acceptance by the Congress of the long-term plan.

The joint statement of the Cabinet Mission and His Excellency the Viceroy issued on June 26th, in which reference was made to the formation of the Caretaker Government of officials and to the renewal of efforts to form an Interim Government after the elections to the Constituent Assembly are over had a mixed reception. Leaguers were frankly disappointed that they were not to be allowed a share in the Interim Government; nationalist opinion was pleased that the League was suffering a rebuff but was not favourably impressed by the

heavy weightage given to European members of the I.C.S. in the Caretaker administration.

¹ Mr J. G. Simms.

IO

Field Marshal Viscount Wavell to Sir E. Jenkins (Punjab)

R/3/1/132: f 104

SECRET

VICEROY'S CAMP, SIMLA,

No. 592/63

8 July 1946

My dear Jenkins,

Thank you for your interesting letter No. 612 of the 4th July about the Sikhs.¹

2. I agree that you should reply to Sardar Baldev Singh's letter of the 2nd July as proposed by you in paragraph 4 of your letter. Any move to form a block of Sikh States will certainly have to come from the Rulers concerned. I discussed the matter with Thompson today.

3. I am prepared to speak to both parties and try to persuade them to satisfy the Sikhs in regard to their position in the Punjab, but I cannot do this till some time at the end of this month when I shall probably see the leaders in connection with the formation of an Interim Government. I do not think I can say anything immediately which will give any particular satisfaction to the Sikhs. Perhaps you would tell Sardar Baldev Singh, or Giani Kartar Singh as may be suitable, that you have passed on to me the gist of their recommendations, that I have the Sikh apprehensions very much in mind, and will have further discussions about them with the party leaders when I reopen negotiations for an Interim Government.

Yours sincerely,

WAVELL

¹ No. 5.

II

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/PO/10/23

PRIVATE AND SECRET

VICEREGAL LODGE, SIMLA, 8 July 1946

I hope you had a comfortable journey home, and have been able to take a rest. I came up here to Simla a day after your departure, and although it rains a good deal we have had fine intervals and a pleasant respite from the heat and hard work of Delhi.

Thank you for all the consideration you and your colleagues showed to me and to my point of view during our three months together. It is sad that out of our consultations and our occasional friendly disagreements we could not evolve a complete scheme that was acceptable to the parties; but at least we have received credit for doing our best.

2. The Caretaker Government of officials has been sworn in and I told my colleagues at the first meeting that, for reasons they would understand, I must try to get rid of them as soon as possible. There were the inevitable criticisms in the Press but they did not really amount to much, and I think most people realise that it was best to make a break and to create a vacuum which obviously needs to be filled at the first possible moment. Actually, the "vacuum" will be more businesslike and easier to work than anything I have had before.

3. In the announcement of the new Executive Council I included mention of the decision to abolish Planning and Development Department. This Department would inevitably be a bone of contention between the two major parties if they came into a coalition Government. Although the administrative reasons for its abolition would be stronger a few months hence it was clearly best to make the change now. There have been a few criticisms of this in the Press but not so much as I expected.

4. Before the opening of the A.I.C.C. meeting in Bombay I sent a private letter¹ to Azad, of which I enclose a copy. To my dismay the first reports of the preliminary Working Committee meeting included mention of the delivery during the meeting to Azad of a sealed letter from the Viceroy! It is astonishingly difficult to have any dealings with the party leaders without attracting publicity, and I am sure this is one of our major handicaps.

I was sorry to see that Gandhi proposed to attend the A.I.C.C. meetings, but from the brief reports I have seen so far it seems that the Right Wing had no difficulty in carrying the resolution confirming the decision of the Working Committee about the long-term and short-term plans. It will be a great thing if we can get through the A.I.C.C. meeting without the Working Committee being tied to commitments that will make negotiations for an Interim Government even more difficult than they were last time.

5. Menon will keep Turnbull informed of the progress of the elections to the Constituent Assembly. Even the Sikhs appear to intend to elect their representatives to the Constituent Assembly, which is satisfactory. There has however been insistence by the Ministries of Assam, Madras and Bombay that the declaration form for candidates should omit mention of paragraph 19, and it still appears that the Congress may try to move in the Constituent Assembly that the Assembly is a sovereign body and can change its own rules of procedure, even including the one which requires a double majority for

major communal issues. They may even seek to elect a provisional Government in the Constituent Assembly. If the Congress press their view as far as that, it is clear that the Constituent Assembly will break up at once, and all our efforts will have been in vain. If that happens, it will mean I suppose that the Congress are prepared to attempt to take power by a mass-movement. We must still recognise the possibility of this; and His Majesty's Government must give me as early as possible a definite plan to deal with a breakdown; it will take a considerable time to fill in details, when I know the general intention. Only if the Right Wing of Congress are unshaken in their control during the A.I.C.C. session shall we have any reason to hope that the Constituent Assembly will be worked in something approaching the way that we intended.

6. The Press devotes a good deal of attention to the passive resistance movement by Indians in South Africa. I do not see what more can be done in the matter, but it is extremely unfortunate that two parts of the Empire should be so openly at loggerheads. India seems to be pleased with the rather empty gesture of referring the dispute to the General Assembly of U.N.O., but the agitation in India will continue; and the politicians always act as though the South African Government was under the control of His Majesty's Government. Gandhi, and others, have asked me to make a public utterance expressing my approval of the passive resistance movement by Indians in South Africa, and have referred to the well-known precedent of a speech made by Lord Hardinge. I replied to Gandhi that I have every sympathy with the Indian case and have done all I could to support it, but thought it would be a mistake to make any public declaration on the subject, and that it might do more harm than good to the cause of Indians in South Africa.

Gandhi apparently said at the end of June that the "time might come when he would have to offer non-violent resistance of the purest type" on the South African issue. I am not clear on whom he would hope to bring pressure by this satyagraha: but however illogical it might be, one may be sure that he would contrive to be embarrassing to the administration.

7. You have had reports by telegram of serious communal disturbances at Ahmedabad in Bombay, at Madura in Madras and at Dacca in Bengal.² The Ministries seem to have been reasonably firm, but we must expect such occurrences to recur in the present state of communal feeling.

8. I have asked the Governors of the U.P., Bihar and the C.P. to come up to Simla this week and discuss the difficult question of protection for the Services.

¹ No. 2.

² Sir J. Colville referred to the disturbances in Ahmedabad in para. 5 of his letter of 3 July 1946 to Lord Wavell and in para. 3 of his letter of 4 August to Lord Wavell. In the second letter it was stated that total casualties were 61 dead and 372 injured and that 3,278 arrests had been made. L/P&J/5/167: ff 83, 62.

THE TRANSFER OF POWER

Twynam seems to have let things slide a little in the C.P., where the Inspector-General of Police and the Director of Public Instruction resigned owing to the way they were treated by the Ministry, and I heard nothing about it until they had gone. In Bihar there was a difficult case where the question arose whether sanction of the Provincial Government under a Provincial Indemnity Act was necessary and if so whether it should be given for proceedings against a Police Officer in regard to alleged excesses in 1942. The difficulty was that the alleged excesses included a charge of bribery and theft by the Police, which could have nothing to do with the suppressing of the mass movement, and I was advised that though sanction was necessary in regard to certain of the charges which related to the suppression of the movement, sanction was not necessary and protection should not be afforded in regard to the charges of bribery and theft.

Wylie in the U.P. has seen the correspondence about this Bihar case, and indeed saw my draft orders on the case before issue. At that time he made no comment, but he now tells me that he disagrees, that in his view the Bihar case was a test case, and that unless members of the Services are protected against *all* charges in regard to 1942 there will be no effective protection, and many of his officials in the U.P. will have to resign.

I still hope that the difficulty may not be so serious as Wylie implies. I do not very well see how I can give official support to condonation of bribery and theft, even in circumstances such as 1942. I do not think the Right Wing of Congress want to victimise the Services, and on the whole I am pleased that there has not been more of this up to date. If we could get a coalition Interim Government I think there might be tacit acceptance of a policy of forgive and forget. The mere lapse of time is of some assistance since the starting of action against officials for deeds done four years ago becomes doubly difficult if it is not initiated at the first opportunity after the formation of a popular Ministry.

We shall try to thrash out the whole matter with the Governors most concerned, and I will of course let you know the result.

9. Would you please tell Henderson that I am most grateful for all he did to help me during the time when he was in charge at the India Office, and for his letters of the 6th³ and 20th June⁴ which I am afraid I have not acknowledged.

³ Vol. VII, No. 468.

⁴ L/PO/10/23.

12

*Mr Lawson to Mr Abell**R/3/1/131: f 63*

26 AURANGZEB ROAD, NEW DELHI, 8 July 1946

My dear Abell,

You will have seen from the press that the European Party in Bengal have now decided not to use their votes at all in the forthcoming elections to the Constituent Assembly.¹ So European participation in this part of constitution-making may be regarded as finished. Assam will of course follow Bengal's lead. We have still a small interest in the U.P., Bombay and Madras, but I do not think the major parties mind whether this is used or not, since it will have no effect on communal politics. I have indeed heard that the Bombay Premier has made certain suggestions to our Bombay M.L.A.s as to the manner in which their votes might be used to satisfy minority interests, but if these votes are used at all, I think you may assume that such action has the approval of the major political parties.

We had of course in accordance with previous policy been negotiating in Bengal to find a method whereby both major parties might be satisfied in respect of the difficult position in which we had been placed. Although I have at present no detailed information, I conclude that a formula has been found whereby our abstention will not cause a breakdown.

I am greatly relieved that the matter has been settled, although of course I am disappointed that we have been totally eliminated. I am quite certain that there would have been no objection to our participation if we had not been placed in key position in Assam/Bengal, and the result of this has been doubly unfortunate in that, apart from our elimination, a racial antagonism has been roused which we have been most anxious to avoid. Indeed for some years it has been our policy to avoid saying or doing anything which might raise the racial issue. If we could have participated, I think it would have been a good thing for us and for the British connection with India and there is no question in my mind that we were perfectly entitled to participate in a small way if only because of our interests in the country and of the transfer of power which is now to take place.

However, this point is now academic, since I do not think any Europeans will participate even if such action was not objected to in Groups A and B; but it might be useful if we had a seat on the Advisory Committee and I do not think any of the parties would object to this. We are naturally much concerned in fundamental rights, citizenship questions etc., and in view of the

¹ See No. 6.

fact that the findings of this committee will be purely advisory, there could be little harm in our participation. I presume that no attempt will be made to form the Advisory Committee until after the elections to the Constituent Assemblies and thereafter I take it that some of the seats will be filled by election and some by nomination. From a preliminary enquiry from all Branches of the European Association I gather that my community would like to be associated with this Committee.

I have avoided bothering H.E. with all these matters, because I know that he is much occupied, but I think you will be glad to have the foregoing information so that you may be able to inform H.E. of our position and attitude, should the need arise.

Yours sincerely,
C. P. LAWSON

I3

Field Marshal Viscount Wavell to Sir J. Colville (Bombay) (Extract)¹

R/3/1/115: f 200

No. 40/2

8/9 July 1946

Many thanks for your letter of the 3rd July.² It was a great disappointment that we could not secure agreement on the Interim Government. What really caused a breakdown was the old difficulty about a Nationalist Muslim. Azad, who behaved very well throughout, tried to prevent this question arising, and the Congress seemed prepared to let it go by default provided it was not made a public issue. Then Gandhi, who had previously appeared to be in favour of acceptance, veered round, and wanted to reject both the long-term and the short-term schemes. As regards the latter, his hand was much strengthened by Jinnah's action in publishing a very contentious letter³ which immediately made the Nationalist Muslim issue an issue of prestige and principle between the two major parties. Thus Gandhi had no difficulty in getting the Interim Government proposals turned down, though the Working Committee refused to accept his advice to reject the long-term scheme also. As you know, the reactions of the Muslim League to my refusal to form an Interim Government immediately were very hostile. I think Jinnah and his Working Committee were pleased with the terms they would have got under the Statement of the 16th June, and were bitterly disappointed at the cup being dashed from their lips. The terms of the Statement of the 16th June would of course have been particularly attractive to Jinnah if the Congress had stayed out, and it may be that Jinnah's publication of his letter about the Nationalist Muslim issue to which I have referred above was a deliberate attempt to keep the Congress out.

2. In any case the fresh negotiations for a coalition government which I shall have to take up about the end of this month will be very difficult to carry through to success. The hostility between the Congress and the League seems worse than ever.

¹ Only this extract is on the file
² Vol. VII, No. 563

² Relevant para. only on R/3/1/115: f 189.

I4

*Sir O. Caroe (North-West Frontier Province) to Field Marshal Viscount Wavell
 (Extract)*

L/P&J/5/223: f 97

CONFIDENTIAL

GOVERNMENT HOUSE, NATHIAGALI, 9 July 1946

D.O. NO. GH-157

Dear Lord Wavell,

I was glad to have Your Excellency's letter of July 1st—a resumption of this serial correspondence. Dr. Khan Sahib has made it very clear to me that in his responsible position he could not possibly lead an assault on Kashmir, and he has evidently counselled his brother to be cautious, and told me privately that Abdul Ghaffar Khan had no intention of doing more than having a rest in Kashmir and would not do any political propaganda, though he would no doubt see some of the people in whom he was interested, meaning Sheikh Abdulla. It looks as if the Kashmir people are treating him sensibly. If Nehru tries again,² I don't think it will be easy for Congress here to make much of a push at any rate by the route through Hazara. They may, however, try to go through the Punjab by Murree, where they might get more sympathy. Reading between the lines I think that Khan Sahib and others recognise Nehru's escapade to have been the height of folly, though of course they will not say so.

2. Khan Sahib's reaction to me, and given out publicly when the announcement was made on the interpretation of paragraph 8 of the statement of June 16th, was rather unexpectedly that you ought to have gone on with the Muslim League, and like the rest he read the statement of June 16th as a definite intention of so doing. But if this had been done, I fancy his tune might have been different. The Muslim League people here have been echoing Jinnah's complaints about breach of faith, but I do not detect much real feeling behind what

¹ Not in India Office Records.

² On 20 June Pandit Nehru had been arrested after he and his supporters had entered Kashmir in contravention of an order of the Kashmir Government. He was subsequently released when he indicated he was willing to return to British India. See Vol. VII, No. 594.

they are saying. This is because they believe that future decisions will not give more to the Congress than did the statement of June 16th. If they were disappointed in this belief, it would be different.

IS

Maulana Azad to Field Marshal Viscount Wavell

R/3/1/115: ff 201-2

PRIVATE AND PERSONAL

CAMP, BOMBAY, 9 July 1946

My dear Lord Wavell,

I received your private and personal letter¹ just on the eve of the A.I.C.C. As you have no doubt seen from the papers, the A.I.C.C. have ratified the resolution of the Working Committee of the 25th June.² This has been unconditional and unqualified, so that the Working Committee will not in any way be hampered in negotiating with you for the Interim Government.

I agree with you that in the existing circumstances of the country, our best interests can be served by a coalition government composed of both Congress and the League. You know the stand I have taken on this question. You perhaps also know that I brought round the Working Committee to my point of view in spite of sharp differences and opposition by a majority of my colleagues. I may also tell you that there has been a strong attempt to bind down the Working Committee by a resolution of A.I.C.C., but I did not permit any restriction on the discretion of the Working Committee.

I must at the same time tell you that the Congress will maintain its national character in all circumstances. You know the complications that arose both in Simla in June 1945 and in Delhi in June 1946, and I strongly hope that you will from the very outset adopt a course which will prevent the repetition of such complications and deadlock.

Yours sincerely,

A. K. AZAD

¹ No 2.

² See Vol. VII, Enclosure to No. 603.

16

Fuller version of Pandit Nehru's Press Conference on 10 July 1946¹

L/P&J/10/73: ff 298-302

CONGRESS AND THE CONSTITUENT ASSEMBLY

Following is a fuller version of the speech of Pandit Nehru at a Press Conference held in Bombay on July 10, in which he spoke of Congress policy regarding the Constituent Assembly and other Indian questions:—

Referring to the proposed Constituent Assembly, Pandit Nehru said that Congress had made no commitment.

Asked to amplify his statement in the All India Congress Committee that Congress had made no commitment in regard either to the long-term or short-term plan, except to go into the Constituent Assembly, Pandit Nehru said: As a matter of fact, if you read the correspondence that has passed between the Congress President and the Mission and the Viceroy you will see in what conditions and circumstances we agreed to go into this Constituent Assembly, and we have agreed to nothing else. It is true that in going into the Constituent Assembly inevitably we have agreed to a certain process by going into it.—That is the election of candidates to the Constituent Assembly. What we do there, we are entirely and absolutely free to determine. We have committed ourselves on no single matter to anybody. Naturally even though one might not agree to commit himself, there is a certain compulsion in the facts which makes one accept this thing or that thing. I do not know what that might be in this particular context. But the nature of compulsion of the facts would be not of the British Government's desires or intents, but how to make the Assembly a success and how to avoid its breaking up. That will be certainly a very important consideration. But the British Government do not appear there at all.

When Congress had stated that the Assembly was a sovereign body, the Mission's reply was that it was more or less "yes", subject to two considerations. First, a proper arrangement for the Minorities, and secondly, a Treaty between India and England. I wish the Mission had [?not] stated that both these matters are not controversial. It is obvious that the Minorities question has to be settled satisfactorily. It is also obvious that if there is any kind of peaceful change over in India, it is bound to result in some kind of Treaty with Britain. What exactly that treaty will be I cannot say. But if the British Government presume to tell us that they are going to hold anything in India because they

¹ The India Office was sent this fuller version of Pandit Nehru's Press Conference in tel. A. 3201 of 16 July 1946. It had earlier received a shorter account of the Press Conference in tel. A. 3192 of 11 July. L/P&J/10/73: ff 325-6.

do not agree either in regard to the Minorities or in regard to the Treaty, we shall not accept that position. It would become a *casus belli*.

We shall have no treaty if they seek to impose anything on us, and we shall tear up any Treaty they try to impose. If they treat us as equals and come to terms there will be a Treaty. But if there is the slightest attempt at imposition we shall have no treaty.

MINORITIES

In regard to the Minorities, it is our problem, and we shall no doubt succeed in solving it. We accept no outsiders' interference in it. Certainly not the British Government's interference in it, and therefore these two limiting factors to the Sovereignty of the Constituent Assembly are not accepted by us. How to make the job in the Constituent Assembly a success or not is the only limiting factor. It does not make the slightest difference what the Mission thinks or does in the matter.

GROUPING OF PROVINCES

Referring to Grouping, Pandit Nehru said the big probability is that from any approach to the question, there will be no grouping. Obviously Section A will decide against grouping. Speaking in betting language, there was a four-to-one chance of the North West Frontier Province deciding against grouping. Then Group B collapses. It is highly likely that Assam will decide against grouping with Bengal, although I would not like to say what the initial decision may be, since it is evenly balanced. But I can say, with every assurance and conviction there is going to be, finally, no grouping there, because Assam will not tolerate it under any circumstances whatever. Thus this grouping business approached from any point of view does not get on at all.

Pandit Nehru also explained how Provincial jealousies would work against grouping. Firstly, he pointed out that everybody outside the Muslim League was entirely opposed to grouping. In regard to this matter, the Muslim League stands by itself, isolated. Applying that principle, you will find that, in the North West zone, there is a kind of balance, anti-grouping more or less even with pro-grouping.

Secondly, entirely for other reasons,—non-political, non-Congress, and non-League,—there is a good deal of feeling against grouping with the Punjab, both in the North West Frontier Province and Sind for economic and other reasons. That is to say, even the Muslim Leaguer in Sind dislikes the idea of grouping with the Punjab, because he fears the Punjab will dominate Sind, the Punjab being the dominant party in that Group, and more aggressive and advanced in some ways.

Apart from imposed discipline from the Muslim League, both in the Frontier

and in Sind, the people were unanimously against grouping, because both these Provinces are afraid of being swamped by the Punjab.

INTERIM GOVERNMENT

Asked when the Provisional National Government would be formed at the Centre, Pandit Nehru said: I cannot just peep into the future and tell what is going to happen. For the moment we are somewhat engaged in the Constituent Assembly elections. But remember this, the Constituent Assembly is not going to put up easily for long with the kind of caretaker Government that exists today. There is bound to be a conflict between them. In fact the caretaker Government has no stability, nor is there any possibility of its long continuance: how and when and what shape the new Government will take I cannot say: it will be just entering into a phantasy.

When his attention was drawn to the forthcoming meeting of the All India Muslim League Council at Bombay,² Pandit Nehru said that, whatever Congress does is always intended to create new situations. We do not follow other people's situations. I am glad the Muslim League has realized that we have created a new situation. We propose to create many further new situations. What we shall do if the League decides to do this or that, we will see what the conditions then are, and decide accordingly.

THE UNION CENTRE

Dealing with the powers proposed for the Union Centre, Pandit Nehru said that, according to the Cabinet Mission's proposals, there were three or four basic subjects in it, that is, Defence, Foreign Affairs, Communications and the power to raise Finances for these. Obviously Defence and Communications have a large number of industries behind them. So these industries inevitably come under the Union Government and they are likely to grow. Defence is such a wide subject that it tends to expand its scope and activities more and more. All that comes under the Union Government. Similarly, External Affairs inevitably include foreign trade policy. You cannot have a foreign policy if you divorce foreign trade from it. They include all manner of things which are not put down there, but which can be brought in.

² On 9 July 1946 the Associated Press reported Nawabzada Liaquat Ali Khan as having said that it had been decided to convene a meeting of the Council of the All-India Muslim League at Bombay on 28 and 29 July. The Council was to examine 'the whole position, and decide as to what course of action should be adopted by the Muslim League under the changed circumstances'. The changed circumstances were: (1) that 'the Cabinet Delegation and the Viceroy have gone back on their word in postponing the formation of an interim Government . . . and have broken their solemn pledges given in writing to the Muslim League in this connection'; and (2) that 'Congress has accepted the long-term plan of the Cabinet Mission only conditionally with reservations', and that the Congress interpretation was totally opposed to the Mission's Statement of 25 May, 'particularly with regard to the grouping of the Provinces, which is the corner stone of the long-term scheme.' *L/P&J*/10/73: f 334.

FINANCING THE UNION

Referring to the question of raising finances for the Union, he said it had to be done by taxation. If anyone suggests that some kind of contribution or doles are going to be given by the Provinces or States, it is bunkum. No Central Government carries on on doles. He recalled how the attempt to carry on with contributions had ended in failure in the United States in the early days of the American Confederation. Inevitably, therefore, he said, any Central Government must raise its finances by taxation. I cannot make a list now, but obviously Customs including tariffs, is bound to be one. In fact tariffs are connected with foreign trade policy. It may be that Income Tax will be another; I do not know what else. He pointed out that the Central Government must be responsible for Foreign Market loans and such other subjects. It must also obviously control Currency and Credit. Who is going to do it, if not the Centre?

You cannot allow each Unit or Province to carry on a separate type of Credit and foreign policy. Suppose there is trouble between the Provinces or States or an economic breakdown due to famine conditions. The Centre comes in again inevitably. However limited the Centre might be, you cannot help the Centre having wide powers, because the past few years have shown that if there were no Central authority, conditions would have been far worse in India. However, the fact that there has been a Central authority has not done much good to the country because it has been incompetent. It is obvious that without a Central authority you cannot deal with the problems mentioned above. There must be some over-all power to intervene in a grave crisis, such as the breakdown of administration, or an economic breakdown, or famine.

The scope of the Centre, even though limited, inevitably grows, because it cannot exist otherwise. Though some people might oppose this broadening of the Centre, the Constituent Assembly will have to decide on the point.

PORTUGUESE GOA

When a correspondent suggested that Congress should launch direct action against the Portuguese administration in Goa, Pandit Nehru said: I do not think it will be necessary for anybody to start any kind of direct action, because the Portuguese administration will disappear once British power disappears from India. He recalled the statement of the French Government at Pondicherry recently, that it would be open to the people of Pondicherry to join the proposed Indian Union. In fact the Governor had stated that if the people of Pondicherry joined the Indian Union, the Governor would himself become an Indian citizen.

The existence of foreign administrations other than the British in India was only a small trouble for the moment. You cannot expect Congress to lead agitations against little pimples. It is for the local people to do what they like, and Congress will deal with the question when the British power has

vanished—as it is vanishing—through diplomatic and other channels and no doubt settle it.

KASHMIR

Referring to Kashmir, Pandit Nehru said: It is my intention to go to Kashmir but I have not fixed any date, partly because I have some other important work to do, and partly, also, because I have been watching certain developments there. The Kashmir State affair has been formally taken over by the Congress Working Committee as was revealed by the telegram which Maulana Azad sent me, asking me to return from there. Therefore, any action I should now take, has to be in consultation with them.

It has ceased to be, if it ever was, just a personal adventure of mine. Although I may like adventures, the matter has to be treated on a more serious level. It has really to become one of the first-class issues, in India. It affects the future of the Indian States. It also affects the position of the Political Department of the Government of India that has been dragged into the picture. The parties concerned are not merely, Pandit Nehru on one side and the Kashmir State on the other, but the Indian National Congress and the States' People's Conference on the one side and the Political Department of the Government of India and the Kashmir Government on the other.

Whatever happens now is likely to affect other matters, including the whole question of the Indian States in the Constituent Assembly. Because it has such far reaching consequences, we have tried, as far as we can, to restrain our ardour and to go ahead after full thought. Normally speaking, I might go to Kashmir in time for the next date for Sheikh Abdulla's trial.

The Kashmir Prime Minister had during his recent visit to Bombay met not only Maulana Azad and Sardar Patel but also Mr. Gandhi. He had gone back to Kashmir to consult the Maharaja and maybe, the Political Department.

Pandit Nehru was asked whether he believed the agitation in Kashmir was inspired by Russia. He replied that it is not a question of belief. It is fantastic nonsense. The Frontier was full of bazaar rumours. There one met various nationalities from Tibet, from China, and from Central Asia. One entered a new atmosphere. He had no doubt at all that in such places there were, possibly, a number of spies of the various foreign powers. There might also be British spies on the other side of the Indian border. It is quite absurd for any intelligent person to talk of any Russian bogey in Kashmir, or the possibility of a Russian advent into Kashmir, now or in the near future. It might happen fifteen or twenty years hence.

THE INDIAN STATES

Pandit Nehru reiterated the Congress stand in respect to the States' participation in the Constituent Assembly, and said: Our position has been and is that

elected representatives of the States' people must go there. The Rulers say they should nominate the representatives. What their stand today is, I do not know. But obviously we cannot accept that position. The real difficulty is that, apart from the Rulers' position, the Governments in the Indian States are so unrepresentative that a proper procedure must be adopted to make them representative and the representatives of such Governments should go to the Constituent Assembly.

Pandit Nehru's attention was drawn to some of the bigger States like Hyderabad not demobilizing their wartime armies. Pandit Nehru said that it is highly undesirable for all these small separate Armies to continue. They are bound not to continue under a Union Government of India. There will be only one central Army. Maybe during the intervening period of transition, some of these may carry on.

Referring to Hyderabad State retaining its wartime army, Pandit Nehru said the history of Hyderabad's army or the military history of Hyderabad is not one to inspire anybody. Even if I think ever in terms of conflict, the Hyderabad State Forces will not cause me the least trouble or loss of sleep. Fundamentally the problem is that British power is supporting these States. Once that is removed, the picture changes completely. No local State army can carry on independently against the rest of India, because it is a physical impossibility.

SIND POLITICS

He referred to Sind politics and said there was a large group there whose profession was to go from one group to another, and come back to it across the floor. It is an astonishing phenomenon. Sind politics are the most corrupt in India. It is a disgrace and a scandal. I shall add this, that a very big responsibility for this must rest with the present Prime Minister. I want to name him—Sir Ghulam Hussain Hidayatullah. There has been too much hush-hush about this. It is becoming an open sore in India. It is the lowest type of politics. There are a number of legislators in Sind who have no politics in the strictest sense of the word. Pandit Nehru stated that the Muslim League Ministry in Sind was formed because the Governor, Sir Francis Mudie, wanted it in spite of everything. It is there now presumably because he decided it should continue. It is clear after the last changeover from Muslim League to the Coalition Party that there is an absolutely clear majority against the Ministry. The Sind Assembly is meeting today or tomorrow to elect members to the Constituent Assembly. I understand that a No Confidence motion has been tabled, and obviously if the motion is placed before the House, it will be passed and the Ministry will cease to exist.

All manner of intrigues are going on to prevent the motion being considered. It will be said probably that the Session has been called only to elect members to

the Constituent Assembly. This means a deliberate attempt to carry on with a Ministry which does not enjoy the confidence of the House. The whole thing, concluded Pandit Nehru, is a scandal and the chief actors in this scandal are Mudie and Hidayatullah. The sooner they are pushed out of their jobs the better.

Asked why no member of the Scheduled Castes or Labour Representative had been included in his Working Committee, he said he had to choose the Cabinet from members of the All India Congress Committee. He proposed, however, to invite such representatives from outside to the Working Committee meetings whenever necessary.

I7

Mr Abell to Mr Lawson

R/3/1/131: f 64

No. 592/52

SIMLA, 10 July 1946

My dear Lawson,

Thank you for your letter of 8th July¹ which I have shown to His Excellency. He is sorry that the Europeans should have been put in such an invidious position in Bengal and realises how difficult it was for them to come to a decision.

2. The Advisory Committee will be selected by the Constituent Assembly. There will be no members appointed by the Viceroy. If the Europeans wish to be represented on the Advisory Committee they will presumably get the matter raised in the Constituent Assembly by some friendly member. You are right in thinking that no attempt will be made to form an Advisory Committee until after the elections to the Constituent Assembly have taken place.

Yours sincerely,

G. E. B. ABELL

No. 12.

18

*Draft Cabinet Paper (Extract)¹**L/P&J/10/73: ff 316, 320-3*

INDIA

INSTRUCTIONS TO BE GIVEN TO THE VICEROY REGARDING RESUMPTION OF NEGOTIATIONS FOR AN INTERIM GOVERNMENT
MEMORANDUM BY THE SECRETARY OF STATE FOR INDIA

INDIA OFFICE, July 1946

1. The Viceroy is committed to reopen negotiations for the formation of an Interim Government after the elections to the Constituent Assembly have been completed. This means that negotiations should be resumed in the last week of July or the first week of August. The basis for these negotiations is paragraph 8 of the Cabinet Mission's Statement of 16th June which reads as follows:—

"In the event of the two major parties or either of them proving unwilling to join in the setting up of a Coalition Government on the above lines, it is the intention of the Viceroy to proceed with the formation of an Interim Government which will be as representative as possible of those willing to accept the Statement of May 16th".

2. It is of the greatest importance to obtain an Interim Government which is a coalition of the two main parties. Unless we can achieve this there is grave risk of one or other of the two major parties withdrawing from the Constituent Assembly. We should then be almost where we were before the Cabinet Mission began its work. An Interim Government in which one of the major parties does not participate is bound to meet with serious opposition from those Provinces in which the non-participating party is predominant and the creation of such a Government would undoubtedly exacerbate the existing communal tension.

3. The Cabinet will wish to have some account of the circumstances leading up to the present situation.

[Paras. 4-13, containing the account referred to in para. 3, omitted.]

14. We now have to send instructions to the Viceroy as to how he should proceed. Obviously the detailed handling must be left largely to the Viceroy's discretion but he will require our guidance as to how far we think he should go in pressing either party to move from the position it has already taken up and as to what he should do in the last resort failing agreement. The central point of difficulty is the inclusion of a non-League Muslim. In my view it is

unreasonable of Jinnah to demand that all the Muslim members should be nominees of the Muslim League in view of the fact that the Muslim League achieved only 76% of the Muslim votes. I think it unlikely that Congress would ever give way on this as a matter of principle but it is conceivable that, if the principle is repudiated, they may be prepared not to press for the actual inclusion of a Congress Muslim. The following compositions of the Council seem to me to offer some hope of providing a basis for agreement:—

- (i) A Council of 13 containing 6 members nominated by the Congress, 1 of whom would be a representative of the Scheduled Castes, 5 members nominated by the Muslim League, with two other minority representatives (one of whom would be a Sikh unless the Sikhs have disqualified themselves by rejecting the Statement of May 16th.) It should be made clear that it will be open to the Congress to nominate persons of any community belonging to their party. There is a possibility that on this basis the Congress will regard the principle as sufficiently recognised and may abstain from nominating a Muslim.
- (ii) A Council of 14 including 6 Congress, one of whom would be a Scheduled Caste member, 6 Muslims, 5 of them appointed on the nomination of the Muslim League and 1 a neutral, with two minority representatives.
- (iii) A Council of 13 including 5 members nominated by Congress, one to be a Scheduled Caste representative, 4 members nominated by the Muslim League, 1 Independent Hindu, 1 Independent Muslim and 2 minority representatives.

The Viceroy will make it clear that under each of these alternatives, decisions on matters raising a major communal issue could not be carried without the support of a majority of the members of the Government belonging to each of the major communities. The Viceroy would decide what decisions raise such issues.

Under alternatives 2 and 3 above the Viceroy might try to get Zakhir Hussain appointed as the independent Muslim as it is known that he would be acceptable to the Congress. It is, however, quite possible that this would drive the Muslim League into opposition.

15. I think that the Viceroy should begin by discussing the position separately with Jinnah and Nehru. He should make it plain to Jinnah that we cannot support his claim that all the Muslims should be nominated by the Muslim League, but that he adheres to his view that a majority of both communities

¹ In a minute of 11 July Mr Turnbull stated that two days previously Lord Pethick-Lawrence had asked him to prepare a draft Cabinet Paper on this subject. L/P&J/10/73: f 338.

A note by Mr Turnbull on the draft Cabinet Paper reads: 'Discussed by S/S with P.M., President and First Lord. Not circ[ulate]d to Cabinet.'

will be required for any decision raising a major communal issue. He should urge upon Nehru the essential importance of the Congress not pressing their claim to the inclusion of a Congress Muslim. He should try out upon them the three alternatives above suggested and if any of them seem likely to provide a basis of agreement should try to arrange a joint discussion with Jinnah and Nehru.

16. If it is impossible, and I anticipate it will be, to reach agreement then the alternatives are to make another pronouncement similar to that of June 16th or, if the breakdown occurs because of Jinnah's refusal to contemplate the inclusion of a non-League Muslim, to ask the Congress to form a Government. I am sure that the Viceroy will be very strongly opposed to the latter course. His reason is that there is a strong element in Congress which has throughout been seeking to secure a dominating position in the Interim Government by means of which it will be able to get complete control of the administrative machinery and then deal with the States and the Muslims by forcible methods. There is great force in these objections, since this course does amount to putting India under the control of the Congress and makes us responsible for the results of their actions which we shall be unable to control. We might very soon be forced out of India in ignominious circumstances such as the Cabinet were unwilling to contemplate in connection with a breakdown. The Viceroy feels that this would be an impossible situation from the point of view of his own position and would also lead to disaster in India. I think it is quite possible that he might decline to continue to hold his present office in such conditions. On the other hand it is obvious that the caretaker official Government cannot carry on for more than a few months without serious political trouble developing.

17. I consider that in the event of a deadlock the right course would be to put out an announcement comparable to that of 16th June but not to nominate individuals for appointment. This would say that the Viceroy proposed to form a Government of so many members nominated by each party and so many minority representatives. The precise proportions would have to be chosen in the light of the discussions with Jinnah and Nehru. It would be made clear that if either of the two major parties declined to nominate representatives to serve in this Interim Government the Viceroy would form an Interim Government in the proportions indicated of those who are prepared to serve and will fill the seats not taken up with independent politicians or officials temporarily.

18. We shall, however, if we adopt this policy, have to be prepared to accept the consequences. We might find ourselves with a refusal by both parties or with a Congress dominated Government, or with a Government containing the Muslim League with the Congress in opposition, or we might lose the

cooperation of the Muslim League in the Constituent Assembly. There is an important point of timing to be considered in this connection. We do not yet know whether the Congress will in fact operate the Statement of May 16th in accordance with our intentions, or whether they will seek to prevent the sections of the Constituent Assembly from meeting. The utterances of Congress leaders since the departure of the Mission are not very reassuring in this respect. If we made a move as proposed in the preceding paragraph before it is clear whether the Congress propose to operate the Constituent Assembly in accordance with our intentions, we might find ourselves with an interim Government dominated by Congress and from which the Muslim League was excluded and subsequently find that Congress are not genuine acceptors of the Statement of May 16th. The effect would be that Congress would have achieved control of the interim Government (from which it would be difficult if not impossible to displace them) and at the same time have repudiated the essential conditions for the operation of the Constituent Assembly which alone make it acceptable to the Muslims. Indeed, if the Congress were once ensconced in the Interim Government and the Muslim League were outside it, the Congress might quite possibly be encouraged by that situation to adopt extreme courses in the Constituent Assembly. It might therefore be better if agreement to form a coalition Government cannot be obtained to defer the pronouncement proposed in paragraph 13 [17] until after the Constituent Assembly has held its opening procedural meetings. These will, no doubt, be held during August and the delay involved would not be considerable.

P.-L.

19

Note by Lord Pethick-Lawrence

L/P&J/10/73: ff 339-41

undated

F. F. T[urnbull] to see this with a view to the memo. he is preparing.¹

Of course wh[a]t prevented us from doing th[a]t which Moon refers to in [his] last para. was the pledges we gave J[innah] in the ill-advised letter of V[iceroy] to J[innah] on 20 June, para. 5 (1) and 5 (4) (page 19),² to which I was at the time strongly opposed.

¹ In his minute of 11 July (see No. 18, note 1) Mr Turnbull stated that he did not receive No. 19 until after he had composed his draft.

² The reference is to Vol. VII, No. 573.

*Annex to No. 19**Sir S. Cripps to Lord Pethick-Lawrence*

PERSONAL

BOARD OF TRADE, MILLBANK, S.W.1, *undated*

My dear Pethick,

I don't know whether you had a copy of this note of Moon's. If not you should I think read it as it is a good line and may be the right one.

Yours,

STAFFORD

STEPS TO BE TAKEN FOR FORMATION OF A
COALITION GOVERNMENT

1. We are committed to making, after a short interval, fresh efforts to form an interim Government as representative as possible of those wishing to accept the statement of May 16th.

2. The following course appears most likely to be successful:—

- (a) J. L. Nehru and Mr. Jinnah, as representatives of the two largest parties which have accepted the statement of May 16th, may be called upon jointly to form a Government and given a fixed time within which to do it,
- (b) Failing (a), or, possibly, omitting (a) altogether, the Viceroy should call upon
 - (i) Congress to nominate 6 members
 - (ii) The League to nominate 5 members
 - (iii) The Akali Sikhs to nominate 1 member.

(If by that time they can be considered willing to accept the statement of May 16th, e.g. through actual participation in the Constituent assembly or otherwise).

- (iv) Congress and the League to nominate jointly in agreement two representatives of minorities; failing agreement each to nominate those from whom the Viceroy will select two.

Each party must be given complete freedom to select its own nominees.

3. If for any reason, including the non-co-operation of either of the major parties, it is impossible to form a Coalition Government as proposed in para. 2, then the Congress as the largest single party should be called upon to form a Government; *but the intention of doing this should not be disclosed*, except possibly at the last minute to Jinnah.

4. As things stand at present, it is highly probable that both parties will in fact acquiesce in a Government formed on the lines suggested in para. 2(b).

Obviously Congress would, and the League would probably do so also. There is abundant evidence that if recently we had had the courage to recognise the Congress' right to include a nationalist Muslim in their quota of representatives, the League would not have refused to co-operate. The League could not possibly go into the wilderness on the ground that an extra Muslim was being included in the Government in place of a Caste Hindu. The League is relatively weak and quite unused to fighting. If it decides to fight it will fight on strong ground and not on an absurdity.

P. MOON

29/6/46

20

*Mr Turnbull to Sir W. Croft**L/PO/12/2: f 235*

TOP SECRET

12 July 1946

Sir W. Croft

The Cabinet discussion on the breakdown telegram,¹ the minutes of which are attached has really got us no further.

2. At the meeting on 5th June² the Cabinet rejected repression, complete withdrawal and reference to U.N.O. The Chiefs of Staff reported very adversely on the Mission's proposal to withdraw into Pakistan and appear to favour remaining in the whole of India.³ They condemn the Mission's proposal on the ground that it would lead to civil war, and would not safeguard our strategic requirements.

3 Of course most of us would prefer the policy advocated by the C.O.S. but it is quite inconsistent with a policy of not repressing the Congress. It is only on the basis of a decision that that is undesirable that anyone would contemplate partial withdrawal. Moreover, the C.O.S. leave entirely out of account the state of the administrative machine in India.

4. It seems to me that, as the Viceroy urges in his last appreciation,⁴ a decision will have to be reached as to what is to be done if we part company with Congress. It is relevant, among other things, to the decision about continued European recruitment because, if there is any possibility of a decision to remain in India, it is very necessary to strengthen the Services in every possible way.

Perhaps you will wish to raise with S/S the question what should be done

¹ Vol. VII, No. 442.² Vol. VII, No. 455.³ Vol. VII, No. 509.⁴ Vol. VII, No. 641.

about this question. It has its bearing of course on whether & at what point we do refuse to do what the Congress demand, if they make unreasonable demands.⁵

F. F. T.

12/7

⁵ There is no indication on the file as to what action was taken on this Minute.

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Mr Abell to Mr Turnbull

L/PO/6/115: ff 27-37

TOP SECRET

VICEROY'S CAMP, SIMLA,

No. 125/54

12 July 1946

My dear Frank,

I enclose for the information of the Secretary of State a copy of the minutes of Conferences held on the 11th July at Simla.

Yours sincerely

GEORGE ABELL

Conference held on 11th July at Simla

PRESENT:

1. H.E. the Viceroy.
2. H.E. the Governor of the U.P.
3. H.E. the Governor of the Punjab.
4. H.E. the Governor of Bihar.
5. H.E. the Governor of the C.P.
6. Law Member (Sir George Spence)
7. Home Member (Mr. A. A. Waugh)
8. Home Secretary (Mr. Porter)
9. Reforms Commissioner (Rao Bahadur V. P. Menon)
10. P.S.V. (Mr. Abell)

H.E. the Viceroy said that the first subject he wished to discuss was the protection of the Services. Congress appeared to have been marking time and waiting to see whether there would be a coalition Interim Government before deciding on a general policy in regard to the Secretary of State's Services, and the alleged excesses of 1942. He had spoken more than once to Pandit Nehru. The first time Pandit Nehru had been vehement on the subject and had said that those guilty of the worst excesses must be punished. Subsequently he had taken a more reasonable line, and H.E. had left him in no doubt that the Services would

have to be protected. He doubted whether the Congress High Command would want to press the matter provided an Interim Government was set up.

H.E. the Viceroy spoke briefly about the Kantar Mahto case in Bihar where he had advised the Governor that protection should be afforded in regard to charges relating to acts which could reasonably be held "to have been done or ordered for the purposes of maintaining or restoring order", but not in regard to other charges e.g. of bribery or theft.

H.E. the Governor of the U.P. said that questions in the Assembly had to be answered, and a resolution faced in the next ten days. Many indefensible acts had been committed in 1942, but this always happened where widespread disorder was put down. He did not believe that there was any legal or constitutional method by which the officers could be adequately protected. The Congress High Command must be persuaded that this was a major matter of policy, and that the resolutions and questions should be withdrawn. If any sort of enquiry was once permitted it would be impossible to protect individual officers.

H.E. the Governor of the C.P. said that he agreed largely with the Governor of the U.P. In the C.P. there was a general tendency to harass British members of the Secretary of State's Services, and to try to get rid of them. There were proposals before the Legislature (a) to repeal the Indemnity Act, and (b) to demand an enquiry. He agreed that if an enquiry was ordered individual officers could not be protected. He thought the only line to take was to get the Congress High Command to let by-gones be by-gones.

H.E. the Governor of Bihar said that he did not think Kantar Mahto's case would be made a test case. Eighteen cases had been brought in Sub-Judges' Courts, but objections had been lodged on behalf of the Government and these were now pending in the High Court. In the Debates in the Bihar Legislature the most unbridled attacks had been made on officers of the Services and the Ministry had not intervened at all in the Debate. The Cabinet had agreed that there should be no general enquiry, but that individual cases might be investigated before high judicial authorities. He thought this was fairly satisfactory as his own orders in his individual judgment would be necessary on each case. He thought it possible that his Prime Minister had asked the High Command in Bombay for a directive to abandon these attacks on officials.

H.E. the Governor of the Punjab said that there was no comparable problem in the Punjab in regard to 1942, though there was some Congress agitation which was not likely to be pressed about investigations in the Lahore Fort.

The Home Member said that he agreed that an attempt should be made to get an undertaking from the Congress High Command.

The Governor of Bihar said that he would certainly refuse to allow a commission of enquiry to be set up. On the question whether the Ministries would resign if this action was taken, opinion differed. The Governors of the C.P. and Bihar were doubtful whether theirs would resign. The Governor of the U.P. said that the matter would become one of Congress policy, and that he thought his Ministry would have to go out.

Mr. Menon said that there appeared to be no concerted Congress plan on this subject. If an Interim Government were formed pressure would be eased. He thought that a letter from the Viceroy to Pandit Nehru might be effective. If, however, open attacks on officials continued the officials concerned would have to be allowed to go with compensation for loss of career.

In reply to questions by H.E. the Viceroy it was established that any action to be taken would have to be taken before about the 20th July at the latest.

ITEM 2

A note on the Services' prepared by H.E. the Viceroy for HMG was discussed.

H.E. the Viceroy said that the object of the main note to which this appendix on the Services had been attached was to persuade HMG that they must make up their minds about a definite policy, that we could not carry on indefinitely in India as at present.

H.E. the Governor of Bihar said that he thought there would be a complete breakdown in his Province if there was a mass movement now. No one had any fear of being sentenced to 14 years imprisonment, or to transportation for life, because he knew that he would be released as soon as a Ministry came in. Similarly magistrates, policemen, and other normal supporters of Government had no security because the British power would soon be withdrawn. They could not be expected to act strongly against a popular movement. He thought that if there was a mass movement martial law would be necessary, and that order could only be maintained by military force in very limited areas.

The Governor of the Punjab said that he thought HMG did not realise what had happened in his Province. The administrative machine had been running down for 25 years, and government in the Punjab was now mainly on oriental lines. The British members of the Services were not as well trained as they used to be. Some Indian members were politically minded, and some were corrupt. In the Punjab the Congress were not strong and main issues were communal. The Ministry had said that they wanted no more British officers. His Premier however had made it clear that he would like to keep practically all the British officers now serving. He (the Governor) thought that many officers would not

want to go. Unless the clock was to be put back about 20 years HMG should either

(i) publish compensation terms very soon, and allow officers to make their own choice, or

(ii) withdraw all Secretary of State's Services at once. In the Punjab he preferred the former course.

The Governor of Bihar said that he thought that no British officials in Bihar would stay on after getting compensation.

The Governor of the U.P. said that all questions referred back to the main question whether HMG intended to maintain their position in the country or not. If not all Governments should be asked whether they wanted to retain under Indian control the existing British members of the Secretary of State's Services in their Province.

The Governor of Bihar said that he thought a date must be fixed, say two years ahead, when the Services would be wound up. This might be done before Parliament's nominal responsibility for India ended. When such an announcement had been made he thought it would be easier to run the Province without disagreement with the Ministry. He would then adopt a policy of putting Indians into key posts so that there would be a machine that could be handed over in running order to the new regime. It might be necessary to legislate for a reduction of the sphere of the Governor's special responsibility.

The Governor of the U.P. said that if HMG did not propose to suppress another movement he thought we should take action about the Services at once and not after two years. The whole situation would then change and responsibility would be firmly on the Ministries.

The Governor of the C.P. said that he thought it was illogical to maintain the Secretary of State's Services now. The position had become an impossible one for British officers. He had only about 20 British I.C.S. and I.P. officers all told. Half of these would probably go on the 1st January and half would wait for compensation. He agreed that Ministries should be asked whether they wished to retain Secretary of State's officers. British officers should be allowed to go at once, as there was no advantage in retaining such a small number at the cost of friction.

The Governor of the Punjab said that he agreed about consulting Ministries, but thought that in the Punjab the Ministry would want to keep the Secretary of State's Officers even under Secretary of State's control. He pointed out that if the Secretary of State got rid of British officers of the Secretary of State's Services before the new constitution was formed, the control of Parliament would cease in fact even though it still continued in law.

¹ See Vol. VII, Appendix to No. 641.

CONFERENCE WITH GOVERNORS.

11th July 1946, Afternoon Session, 3 p.m.

PRESENT:

H.E. the Viceroy.
 H.E. the Governor of the Punjab.
 H.E. the Governor of the U.P.
 H.E. the Governor of the C.P.
 H.E. the Governor of Bihar.
 'The Hon'ble the Home Member (Mr. Waugh).
 P.S.V.

Compensation for the Services

H.E. the Viceroy asked the Governors whether they agreed that Indian members of the Secretary of State's Services should be treated in the same way as British members in regard to compensation. *All Governors* agreed that the same terms must be offered though it was considered that some Indian members of the Services would refuse compensation.

I.N.A.

H.E. the Viceroy said that the question of recruiting INA personnel in the police had arisen in Bombay and in Bihar. *H.E. the Governor of Bihar* said he thought it would not be a serious problem in his Province. It had arisen in connection with the concessions to be given to returned soldiers about Government service. *H.E. the Governor of the Punjab* said there were 10,000 INA men in the Punjab, 6,000 or 7,000 of whom were "blacks". It was alleged that they received special favourable treatment in the Labour Exchanges set up by the Government of India. They had not given much trouble yet and were likely to split into communal groups. The Muslim League did not trust them because they were pledged to Akhand Hindustan.

H.E. the Governor of the U.P. said that he thought it was a wise move to let the INA men apply at Labour Exchanges. There were some 6,000 in the U.P. He did not anticipate trouble over proposals to recruit them to the police as there were no vacancies.

H.E. the Governor of Bihar and H.E. the Governor of the U.P. said that there might be a difficult question to decide in regard to proposals for the reinstatement of officers e.g. of the police who were dismissed for dereliction of duty in 1942.

Breakdown Plans

H.E. the Viceroy gave a resume of his correspondence with HMG on this subject.

H.E. the Governor of the Punjab said that the Muslims in the Punjab were determined to get Pakistan. The Sikhs and the Hindus wanted stronger safeguards than the Congress were prepared to advocate. The most likely trouble was violence by the Sikhs, and the Congress might be drawn in on their side. In that event the Punjab would not be a secure base. He thought the police would always be ready to fight the Sikhs and the Congress and that a mass movement sponsored by them could be suppressed. He thought that if there was any question of evacuating the Hindustan Provinces it should certainly be done before trouble began.

H.E. the Governor of the U.P. said that he still thought that a mass movement could be held in the U.P. though he was doubtful about the neighbouring Province of Bihar. He agreed that we should not wait till trouble had begun before making a move. HMG must have a definite policy. The railway strike might easily have led to a mass movement. The administration in the U.P. was, he thought, fairly good, partly as a result of six years under section 93. The U.P. police were good and 50 per cent. of them were Muslim.

H.E. the Governor of the C.P. said that he thought HMG's criticism of the Viceroy's breakdown plan, though purely negative, was sound. He thought the C.P. could be held for six months at any rate. There was no sign of demoralisation of the police. He thought that some form of Pakistan was inevitable. He had three Gurkha battalions in the Province with which any trouble could be scotched, but he thought law and order should be preserved on a minimum basis. Long terms of imprisonment should not be given.

I.E. the Viceroy pointed out that there might be doubt about the use of the Gurkhas since the Nepalese Government would have to be careful of their relations with the Hindus.

H.E. the Governor of Bihar said he thought that the order could not be kept on a minimum basis. It would be necessary to be firm. *The Governor of the Punjab* agreed.

I.E. the Governor of Bihar went on to say that there were no loyal or disciplined police in Bihar. There had been a recent strike of the police, and Indian police officers had little influence. His Prime Minister and some of the other Ministers were strongly inclined to support the Forward Bloc, and people like J. P. Narain had been suborning the police. Even the Indian troops in the area might not act against rebellious crowds. He thought there might be wild disorder in almost the whole of the Province, and that even the withdrawing of Europeans might be difficult.

H.E. the Governor of the U.P. said that in his Province he thought it would not be so very difficult to put down disorder. *The Governor of the C.P.* said that the next six months were a critical period. No compensation should be offered to

the Services for six months. Law and order should be firmly kept for that period at least so as to give the Constituent Assembly a chance.

H.E. the Viceroy said that the formation of an Interim Government was the crux of the matter. It would be difficult to keep the country quiet without one. *H.E. the Governor of the U.P.* said that the idea which was mooted in the morning of asking the ministries whether they wanted the Secretary of State's Services wound up was based on the assumption that HMG would not suppress another mass movement. The other Governors agreed.

H.E. the Viceroy said that he was quite clear that Governors must resist any demand for commissions of enquiry about 1942, even at the risk of a show-down with the Congress. On individual cases it will be necessary to proceed in accordance with the law.

After some discussion it was agreed that the Governor of the U.P. should see his Premier as soon as possible and ascertain whether the Congress had decided on a policy about the alleged excesses of officials in 1942. He would then inform H.E. the Viceroy and the Governor of Bihar.

All Governors agreed that HMG must announce *compensation terms* at once, and that with the Secretary of State's approval the Viceroy should write to Governors asking them to sound their ministries on the question whether they would like to have the Secretary of State's Services wound up in their Provinces or not; if they would like them wound up, a compensation would of course be necessary both for British and for Indian officers.

It was also agreed that it might be necessary to have a special provision for compensation to be granted before the ordinary date to officers for whom it was impossible, owing to their connection with the putting down of the 1942 rebellion, to continue to serve in their Provinces until the date for the winding up the Services was reached.²

² On 23 July 1946 Mr Clauson sent Mr Burke, Mr Attlee's Private Secretary, an extract of this Minute consisting of the last two paras. Lord Pethick-Lawrence felt Mr Attlee, Sir S. Cripps and Mr Alexander should see the extract. L/PO/6/115. f 23.

22

Mr Abell to Mr Turnbull

L/SG/G/7/904: ff 90-1

SECRET

No. 26/18

My dear Frank,

At the conference which was held here yesterday the Governor of Bihar said that he had no confidence in the loyalty of his police and thought that in the

VICEROY'S CAMP, SIMLA,

12 July 1946

event of a mass movement most of Bihar would get out of control. In this connection H.E. asks me to send you the enclosed extract from a secret report by the Director of the Intelligence Bureau.

Yours sincerely,
GEORGE ABELL

Enclosure to No. 22

TOP SECRET

Extract¹ from a Report dated 5th July 1946 by the Director, Intelligence Bureau, Government of India

As I have told Secretary, Mr. Sinha, C.I.O., Bihar, has been in Delhi. He left yesterday. The purpose of his visit was to acquaint me with the inwardness of police matters in his Province. I have already passed on to H.D. his note on the course of discontent in the Bihar Police. It would appear that police disgruntlement with the failure to increase pay has been played upon by left-wing agitators with the result that a considerable amount of sullenness exists. Discipline has been thereby affected; and Mr. Sinha had little confidence that the Force as a whole would respond with full loyalty to any call upon its services necessitated by a mass movement by Congress. This lack of confidence applies both to the rank and file and to a fair percentage of Sub-Inspectors and higher officers. Mr. Sinha thinks that certain of the Indian I.P. officers are intent on ingratiating themselves with the Ministry; and thinks that this may be said also of some European officers of the ICS and IP. He instanced the case of a European District Magistrate who supplied Shah Nawaz, of INA notoriety, with 70 gallons of petrol for touring purposes after this demand had been refused by an Indian officer. Mr. Sinha thinks that an early increase of pay to the police would do much to restore their efficiency but he doubts whether, even so, full confidence could be placed in their readiness to resist a popular movement. At the same time, he points out that the Ministry, by reason of the delay in dealing with the question of pay, is tending to become the target of police discontent. In brief, he considers the situation to be highly unsatisfactory, but not immediately explosive.

2. On the disciplinary side of things, he is considerably disturbed. He feels that effective discipline is not being maintained and he considers that this is due to—

- (a) distrust by the I.G. and by district police officers of the readiness of the Ministry to support any disciplinary action taken,
- (b) an initial lack of interest on the part of the Ministry in police discipline

¹ This extract was circulated to the Prime Minister, Sir S. Cripps and Mr Alexander on 20 July by direction of Lord Pethick-Lawrence. L/S&G/7/904: f 87.

flowing from their uncertainty as to whether they would long remain in office,

- (c) the administrative inefficiency and inexperience of the Ministry, and
- (d) the failure of the I.G. to take or to compel decisive disciplinary action.

23

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/181: ff 12-14

IMMEDIATE

12 July 1946, 4.20 pm

TOP SECRET

No. 149-S.C. I summoned to Simla Governors of U.P., C.P., and Bihar to discuss protection of Services which has become urgent issue in these Provinces. Resolutions and questions directed against Services and demanding enquiries about 1942 incidents have been tabled in the U.P. and C.P. Legislatures. In Bihar debate on same subject will be renewed on 16th July, and already unbridled abuse of Services has taken place. In U.P. and Bihar Governors must know by 20th July what line to take. Representatives of provincial ministries are believed to have been discussing the Congress policy recently in Bombay, but it is not known what line High Command will take.

2. At discussion yesterday with above Governors, Governor of Punjab and Home Member it was agreed that the only real protection for the Services is a gentleman's agreement with the Congress. If the High Command issue a directive against victimisation there will be no further trouble in the Provinces. Wylie will see Pant at once and ascertain Congress policy, then if necessary I will see Nehru.

3. If gentleman's agreement is not procurable:

(i) Governors will in exercise of their special responsibilities refuse to allow commissions of enquiry;

(ii) applications for sanction to prosecute or for inquiry into individual incidents as proposed by Bihar Ministry, will attract Governor's special responsibility, and will be dealt with on merits;

(iii) It is impossible to protect Services against abuse in the Legislatures and Press such as has occurred already in Bihar, though effect on morale in Bihar has already been serious, and U.P. Governor is convinced that effect in U.P. will be very bad.

4. (i) and (ii) in preceding paragraph while not fully protecting Services may precipitate a conflict with Congress. All Governors strongly urged that

HMG must have a definite policy in this event. I have already insisted strongly on this need for a policy, since break-down may also happen on other counts e.g. failure of Constituent Assembly to survive first meeting, or support of Congress to a Sikh movement in the Punjab about which Governor of Punjab is apprehensive.

5. The general feeling was that except perhaps in Bihar it would be possible at present to put down a Congress mass movement provided it was tackled firmly. Bihar is not likely to initiate trouble but if mass movement becomes general will be a storm centre as in 1942; and the Governor has no confidence in his police. Governors thought we must be ready even at some risk to maintain a firm front about internal security, at any rate for next few months. Indeed if there is a sudden outbreak there will be no choice; we shall have to try to put it down. But Governors of the U.P., C.P., and Bihar felt that if HMG are determined to avoid, so far as it is possible to do so, the risk of having to repress a popular movement, then we must in effect give up control in the Congress provinces now and should therefore offer at once to wind up the S/S's Services there. Governors would then become figureheads only and Ministries would have practically free hand.

6. Governors were unanimous that compensation terms for Services must be decided and announced very soon, and that permission to retire with compensation should be given with very early effect. I propose on their advice to write to all Governors asking them to sound ministries on the following lines: *Begins*. "A decision must be reached very soon about Secretary of State's Services. HMG do not want to force them on Provincial Governments any longer than is necessary. Does the Ministry agree that those officers, British and Indian, who wish to go should be allowed to do so and should be given compensation?" *Ends*. We think this will have a good effect. It will make Ministries take a more responsible line about the Services, and, if they say they want them to go, will justify us in announcing compensation terms at once. Please telegraph urgently confirming that you see no objection to this enquiry being made.

7. I hope you will be able to come to a final decision about terms of compensation within a fortnight or so. Matter is undoubtedly urgent. Governors considered, and I agree, that special provision should be made for officers who, owing to their connection with repression of 1942 movement, cannot be kept in service under Provincial Ministry, to go now on leave preparatory to retirement with an assurance that they will receive any compensation later awarded. Some of these officers owing to unscrupulous propaganda are undoubtedly in danger of their lives.

24

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

R/3/1/116: f 18

INDIA OFFICE, 12 July 1946

My dear Wavell,

First, a personal wish that you are feeling better for any rest that you have been able to take. I am beginning to recover some of the elasticity I lost in India during the time which was so gruelling for us all.

I have received and read some of the speeches that have been made since we left of Congress and M[uslim] L[eague] statesmen. They have not been very encouraging though they might have been worse.

We are having a debate in both Houses of Parliament next Thursday. We shall endeavour to avoid saying anything which will make your task harder.

As to the Interim Government my colleagues and I shall be addressing ourselves to this question shortly and will be telegraphing our suggestions to you for your approach to securing a political basis for a coalition.

Sincerely yours,

PETHICK-LAWRENCE

25

Mr Menon to Mr Turnbull

Telegram, R/3/1/122: ff 146-7

IMMEDIATE
CONFIDENTIAL

SIMLA, 13 July 1946, 1 pm

Received: 13 July, 3 pm

154-S.C. Turnbull from Menon. Your telegram 12824 dated 12th July.¹ Constituent Assembly. It is expected that preliminary meeting will be held in the first week of September. In this connection a nucleus staff has already been placed on special duty with Sir B. N. Rau as Constitutional Adviser and H. V. R. Iengar ICS as Secretary.

2. At a meeting held on the 10th July the Panthic Board had decided upon complete and total boycott of the Constituent Assembly but in deference to wishes of Congress President Sikhs have decided to participate in elections to Constituent Assembly without prejudice to their future course of action.

3. The reply given by Henderson² to Sir Stanley Reed's question regarding the opportunity for Anglo-Indians to lay their case before the Constituent

Assembly has been criticised by *Hindustan Times*. The paper points out that the Under Secretary of State should have mentioned the special representation that has been given by Congress to the minorities. As reported in the Press the following is the representation given to the minorities by the Congress:—

Indian Christians 7 (including one woman)

- 2 from Madras,
- 1 from Bihar,
- 1 from Bengal,
- 1 from Bombay,
- 1 from C.P. and Berar (woman) and
- 1 from Orissa.

Anglo-Indians 3

- Frank Anthony from Bengal,
- Prater from Madras, and
- Gibbon from the C.P. and Berar.

Aboriginal Tribes 4

- 2 from Assam, and
- 1 each from Bihar and Orissa.

Scheduled Castes will be given representation according to their strength in the various Provincial Assemblies. In addition women have been allotted 6 seats.

4. In the NWFP the Congress has nominated Maulana Azad, Abdul Ghaffar Khan and Dr. Khan Sahib. The Muslim League has nominated Khan Bahadur Khan. Press reports indicate likelihood of Dr. Khan Sahib withdrawing and the rest being elected without contest.

¹ Asking when it was expected that the Constituent Assembly would hold the procedural meeting under para 19 (iv) of the Statement of 16 May. L/P&J/10/62: f 314.

² Mr Henderson's reply was as follows. 'The Anglo-Indian community will have due representation in the Advisory Committee referred to in paragraphs 18 and 20 of the Statement published on 16th May, and this will enable them, together with the other minorities, to put their case effectively before the Constituent Assembly.' *Parl. Deb.*, 5th ser., H. of C., vol. 425, Written Answers to Questions, 8 July 1946, col. 17

26

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Wavell Papers. Political Series, June–December 1946, pp. 17–24

TOP SECRET

SIMLA, 13 July 1946

A little while ago I gave instructions for a short paper to be prepared on the effect which the transfer of power in India would have on the Strategy, Economics, and Prestige of Great Britain and the British Commonwealth. I

enclose herewith the result. It is admittedly only an outline sketch, and the details can only really be filled in in Whitehall. But I think you may like to have it for possible consideration in greater detail. As the paper points out, the whole crux of the matter is whether we can secure an orderly transfer of power to a stable India, and satisfactory defensive arrangements with the new India. The prospects at the moment are not encouraging, the only hope is that the responsibilities of power and administration will bring about a more realistic outlook and foresight than there is at the moment, as you yourself will have realised, amongst any of the Indian leaders.

Enclosure I to No. 26

NOTE ON THE RESULTS TO THE BRITISH COMMONWEALTH OF THE
TRANSFER OF POLITICAL POWER IN INDIA

1. The transfer of political power in India to Indians will affect Great Britain and the British Commonwealth in three principal issues: Strategy, Economics and Prestige. This note is an attempt to assess very briefly our prospective gains and losses in each of these fields.

2. The principal advantage that Britain and the Commonwealth derive from control of India is Strategic. The greatest asset is India's manpower. The War of 1939-45 could hardly have been won without India's contribution of two million soldiers, which strengthened the British Empire at its weakest point.

India was also, during this period, a very valuable base of war. Her contribution in material was very considerable; and the potentialities will increase as India's industrial capacity expands.

The Naval bases in India and Ceylon have enabled the British Navy to dominate the whole of the Indian Ocean region, except for a short interlude in the last war; these bases are of importance for the protection of oil supplies from Persia and the Persian Gulf.

India will also be an indispensable link in the Commonwealth air communications both in peace and war.

Before the war some 60,000 British troops were stationed and trained in India and were paid for by the Government of India, which thus made a very substantial financial contribution to British defence. India also formed a valuable training ground for officers and men. In view, however, of the deficient manpower of the U.K., and the increasing unwillingness of the youth of Great Britain to enlist for service abroad, the above advantages are at least partly outweighed by the relief afforded to her manpower.

3. On the Economic side there is a very valuable trade connection between

India and the U.K. In 1944 India was one of the countries with the largest import and export trade with Britain.

British business has also had in the past a considerable share in industry in India, especially jute and tea. There has lately been a tendency to sell out British undertakings at high prices to Indian capitalists, but the British stake in Indian industry is still large. As India's commerce and industry expand, there seems every reason that British business, both in India and in the U.K. should also benefit increasingly. Britain is still the natural market from which Indian importers are likely to seek their requirements; and sterling balances will greatly strengthen the connection. British technical skill is also highly valued in India. As the prosperity of India expands it will become a most important market for the import of consumer goods of every kind, in which Britain should have a great share. Although Britain is likely in time to lose her privileged position in regard to shipping on the U.K.—India routes, it will take India some considerable time to build up a shipping industry.

4. By giving up political power in India, Britain will lose a valuable field of employment for the professional classes in the Indian administrative and technical Services. The earnings of British personnel in these Services are estimated at about £2,000,000 a year, and civilian pensions paid by India in the U.K. amount to £3,000,000 a year. Britain is not likely however to lose the whole of these amounts, as there is likely to be a demand in India for British technical and other experts for some time to come.

5. In international Prestige, Great Britain should on the whole gain by her transfer of power, provided that this results in an orderly and friendly India.

The general conclusion is that on the whole Great Britain should not lose, but, on the contrary, may gain in prestige and even in power, by handing over to Indians, provided that the following main conditions are fulfilled:

- A. Power can be transferred in an orderly manner to a friendly and united India.
- B. A satisfactory defensive alliance can be secured.

These two provisions are the crux of the whole matter. If India lapses into chaos, Britain will lose trade, strategic advantages, and prestige, and a danger to world peace will be created. The worst possible outcome from Britain's point of view will be if India, either through lack of responsible Government or by communist revolution, or by deliberate choice, falls under the control of Russia. Britain will then have sacrificed her own position and given nothing to India.

6. The strategic consequences of independence for India are set out in the G.H.Q. paper attached. It is clear that a defensive alliance with India is of great importance to Britain. Such an alliance cannot be forced on a free India, but is

likely to be sought by India itself, if we manage well. It should secure our naval position in the Indian Ocean and Persian Gulf, the maintenance of the link in air communications and so far as possible the use of Indian manpower. Without such an alliance Britain stands to lose very heavily by abandoning India.

7. The greatest danger is that an independent India may come under the domination of Russia. It is very difficult to estimate how likely this is to happen. An independent Indian Government could hardly be unconscious of the length of its seaboard or of the fact that 90% of its trade is sea-borne. The defences of the country are so much stronger by land than by sea that India would naturally look first for a naval alliance, especially at a time when a steady flow of imports is so vital to the development of the country. And it must surely be many years before Russia can become a formidable naval power in the Indian Ocean. Again communications by land with Russia are so bad that Russian help would be no substitute for British or American help in developing [the] country. It seems therefore that the future Government of India will not of its own choice go for Russian protection.

8. Russia might however try to employ her usual tactics of giving support to a revolutionary party. Conditions in India are not unfavourable—a few capitalists and Princes have enormous fortunes, while labour is still exploited, has genuine grievances, and has begun to feel its power. Maladministration can easily cause local scarcity and famine. The nucleus of a communist organisation already exists and is making itself felt. It would not be difficult for Russia to gain a foothold in the country by its usual methods if the Government is weak and if the gateway of Afghanistan is not effectively barred.

9. Unfortunately there is every prospect of an Indian Government being ineffective. It is a tremendous task to take over control of a country as large and diverse as India. There is no evidence that either the political or the administrative capacity to do so exists. If the Indian Government does turn out to be weak and incompetent, the country is likely to lapse into chaos and disorder. If that condition occurs, the loss to Britain in strategic position, manpower resources, communications and trade, will be very serious even if Russia does not intervene. Indeed any advantages to Britain that can be anticipated as a result of handing over political power are all conditional on there being a stable successor Government that can rule the country.

10. To sum up it is vital to Britain that when she gives over political power in India she may be able to hand over to a stable and friendly Government and contract with it a genuine defensive alliance. Fortunately India's interests quite obviously point the same way. If this objective is achieved the demission of political power may bring advantage and not loss. In all other circumstances the debit balance will be heavy.

Enclosure II to No. 26

C.-IN-C.'S SECRETARIAT

Chiefs of Staff (India) Committee

TOP SECRET

No. C.-in-C. Sectt./37/82

A (46) 1—APPRECIATION ON THE STRATEGIC VALUE OF INDIA TO THE
BRITISH COMMONWEALTH OF NATIONS (FINAL PAPER)

1. The Final Paper on the above subject, embodying amendments agreed at the 184th meeting of the C.O.S. Cte., is forwarded herewith.
2. This paper will now be submitted to C.-in-C. for approval.

Appreciation

OBJECT.

1. The object of this paper is to appreciate the value of India to the British Empire, and to set out the strategic advantages and disadvantages should INDIA become an Independent sovereign state outside the British Commonwealth of Nations.

FACTORS.

2. *Introduction.*—The strategy of the British Commonwealth is at present based on the ability to move troops and material by air and sea across the world without interference by any hostile power.

In order to be able to protect our merchant shipping we have established Naval bases on the main lines of communication in order that the necessary warships may be maintained and repaired. We are now establishing air lines of communication and air bases from which both our maritime and air L. of C. can be protected.

The increasing range of shore based aircraft and the development of guided missiles has already made it difficult to protect convoys in narrow waters, and there is little doubt that we shall have to rely less on narrow waters such as the Mediterranean, and more on the broad waters of the great oceans. In effect our L. of C. will gradually be pushed Southwards and we shall come to rely on the Cape route to the East much more than on the Mediterranean.

3. *Importance of Indian Ocean.*—It is the openly expressed policy of His Majesty's Government that no potentially hostile power shall establish bases in the Indian Ocean area, and any attempt to do so would be regarded as a hostile act.

The oil from the Persian Gulf is essential to the British Commonwealth, and its safe passage must be assured.

Our normal sea communications with Australia and New Zealand pass across the Indian Ocean, but these could be deflected round the Cape or through the Pacific without undue dislocation. From a Naval point of view a hostile India within the next few years would not seriously affect our position, but if India was dominated by Russia with powerful air forces it is likely that we should have to abandon our command of the Persian Gulf and the Northern Indian Ocean routes.

4. *Air Communications.*—The Imperial Air Communications between the U.K. and AUSTRALIA and the Far East must of necessity pass through INDIA. A subsidiary route for Long Range Aircraft could be established using routes such as:—

- (a) ARABIA—CEYLON—COCOS IS—AUSTRALIA,
- (b) CEYLON—ANDAMAN/NICOBAR IS—BURMA/MALAYA,
- (c) EAST AFRICA—SEYCHELLES—DIEGO GARCIA—CEYLON/COCOS IS.
- (d) These routes could be further developed by the use of floating bases and Aircraft Carriers.
- (e) At present suitable airfields do not exist at all the above and services would have to be based on flying boats. In any case few existing types of aircraft have sufficient range for such long "hops", and even with the progress that may be expected in the future, it will be many years before fighter aircraft can ever be flown over such routes. INDIA is therefore an essential link in our Imperial Air Communications, and without INDIA the flexibility of Imperial Strategic Air Reserves is seriously impaired.

5. *Ceylon.*—CEYLON is only of value if it can be used as an effective substitute for the Naval and Air bases now located in INDIA. It is considered that even if the Island were converted into a fortress it would be of limited use in the face of a hostile INDIA, and it would be untenable if INDIA were dominated by a major power such as Russia.

6. *India as a Base.*—Major operations of war must be based upon a land mass which is capable of containing all the necessary base installations, repair shops, hospitals which are necessary for the maintenance of modern Naval, Army and Air Forces. Furthermore such a base must have an indigenous industrial capacity which can expand to meet the extra load placed upon it in war.

With the coming of Atomic Warfare there is increased necessity for space, which will allow of proper dispersion of base installations.

Should it be necessary for the Commonwealth to undertake military operations on a large scale in the FAR EAST, INDIA is the only suitable base from which such operations could be sustained.

AUSTRALIA has the space and, to some extent, the industrial capacity but has not the manpower from which to provide fighting forces and also to expand her industry.

7. *Indian Manpower.*—From a military point of view one of INDIA's most important assets is an almost inexhaustible supply of manpower. INDIA, including the Indian States and NEPAL, can produce as many soldiers as the Commonwealth can maintain.

Without this help it would have been difficult to have won the last two wars.

It must, however, be remembered that up to date all recruits have been volunteers, and by the end of the last war the limit of voluntary enlistment had been reached.

8. *British Manpower.*—If the "New Concept" is agreed Britain, pending nationalisation of the Indian Armed Forces, will provide manpower for INDIA on the following (maximum and diminishing) scale:—

	Officers.	O.Rs.
British Army in India	800	16,400
R.A.F. in India	1,500	10,000
British personnel of R.I.N. . .	300	...
British personnel of Indian Army ..	4,400	7,500
Totals ..	7,000	33,900

Britain is at present experiencing great difficulty in finding sufficient armed forces to meet her world-wide commitments. A relief of 7,000 officers and 33,900 men would be of very great assistance.

There are in addition approximately 2,000 British officials in INDIA and some 30,000 non-officials. The larger proportion of these would leave INDIA and would be available for service elsewhere.

9. *Natural Resources.*—INDIA is the sole producer of jute, and one of the largest producers of tea in the world. Both these commodities are of great value to the Commonwealth.

Thorium exists in Travancore and this mineral may become of increasing importance in connection with atomic warfare.

10. *Industrial capacity.*—INDIA is at the beginning of an industrial revolution. Her cotton and steel industries are beginning to rival those of any country, and there is no doubt that her heavy industries are capable of enormous expansion. In twenty years INDIA may be a highly developed industrial country, and may be capable of producing herself all the equipment required by modern armed forces. If INDIA is part of the Commonwealth this constitutes a great and increasing asset. If INDIA is hostile or dominated by a hostile power the threat to the Commonwealth would be extremely serious.

11. *Effect of British withdrawal from INDIA.*—Although potentially powerful INDIA is at present so divided within herself, that if the British should "quit"

INDIA entirely, leaving the leaders of the various parties to work out their own salvation, the country would be left wide open to RUSSIA.

It is not possible to estimate whether RUSSIA would actually establish bases in INDIA, but with her taste for power politics, it is considered likely that RUSSIA would take advantage of an unprecedented opportunity to establish herself in a position from which she could threaten the whole fabric of the British Commonwealth. History has shown that Nature abhors a vacuum and if the British step out, we can expect the Russians to step in.

12. *Effect of a hostile INDIA.*—If INDIA were hostile our naval position would not be seriously affected, but if she was dominated by a hostile power we cannot guarantee our sea communications in the Northern part of the Indian Ocean and our oil supplies from the Persian Gulf would probably be cut off.

Our strategy would have to be reoriented and our sea communications would have to be round the edge of the Indian Ocean, protected by Naval forces based on the East coast of AFRICA, SINGAPORE and WESTERN AUSTRALIA. It might still be possible to move oil down the coast of AFRICA, but our Naval forces in the Indian Ocean would have to be very considerably augmented. It is presumed that our strategy is based on the assumption that the UNITED STATES are friendly, and it is considered that we should probably have to realign our Commonwealth communications so that our normal approach to AUSTRALIA, MALAYA and CHINA was from the Pacific.

The "Far East" would in fact become the "Far West".

This is probably possible from the Naval point of view, but is virtually impossible from an Air point of view unless we have the use of air bases on American islands in the Pacific. The only alternative to the use of American islands would be the construction of floating bases either across the Pacific or across the Southern Indian Ocean.

13. *ANDAMAN and NICOBAR Islands.*—We have already pointed out that CEYLON would be untenable in the face of an INDIA dominated by RUSSIA. It is however considered that the ANDAMAN and NICOBAR islands are just far enough away from INDIA to allow a reasonable degree of security. If we "quit" INDIA we shall presumably continue to hold MALAYA, although it is doubtful whether we shall hold BURMA permanently. Our communications to BURMA and MALAYA will then be from the East and South-East and we shall be in a similar position to the Japanese in 1942-45.

In these circumstances it is considered that we should not give up the ANDAMAN and NICOBAR Islands, but should hold and develop them as an outpost to BURMA and MALAYA.

The harbours should be developed, and airfields should be built from which to defend MALAYA against attack from INDIA.

14. *Summary.*—The disadvantages to the British Commonwealth of an independent INDIA may be summarised as follows:—

- (a) The supply of oil from the PERSIAN GULF is dependent upon the maintenance of our sea communications in the PERSIAN GULF and ARABIAN SEA. These could not be assured if INDIA was dominated by RUSSIA, and we consider that RUSSIA would not neglect her opportunities of influencing an Independent INDIA (Paragraphs 3 and 11).
- (b) Air communications between ARABIA and AFRICA on the one side and BURMA, MALAYA, AUSTRALIA and NEW ZEALAND on the other could not at present be maintained without the use of bases in INDIA (paragraph 4).
- (c) The value in use of Ceylon would be largely reduced if INDIA was hostile, and the island would be untenable if INDIA was dominated by RUSSIA.
- (d) INDIA as a base is of the very greatest importance to the successful prosecution of operations in S.E. ASIA (paragraph 6).
- (e) Indian manpower is an enormous asset to the Commonwealth Armed forces (paragraph 7).
- (f) INDIA's natural resources and industrial capacity are of increasing importance (paragraphs 9 and 10).

15. The only advantage that we can see in an Independent INDIA is a relief to British Manpower commitments (paragraph 8).

16. *Conclusion.*—We consider that it is impossible to guarantee that an Independent INDIA would not be unfriendly or would not be influenced by a power such as RUSSIA, CHINA or JAPAN, hostile to the British Commonwealth. Should such a situation arise, we could not maintain our power to move freely by sea and air in the Northern part of the Indian Ocean area, which is of supreme importance to the British Commonwealth.

A reorientation of Commonwealth strategy, whereby we might make use of the Pacific in place of the Indian Ocean is a palliative which may be forced upon us, but it will not adequately replace the value of the Indian Ocean to the British Commonwealth.

27

The Nawab of Bhopal to Field Marshal Viscount Wavell

R/3/1/112: ff 4-6

BHOPAL, 14 July 1946

My dear Lord Wavell,

Certain statements recently made by some of the leading British Indian politicians, including Pandit Jawaharlal Nehru,¹ the President of the Indian

¹ See No. 16.

National Congress, make it necessary for me to address Your Excellency. In these statements, definite views have been expressed on some of the important questions relating to the future constitutional discussions which fundamentally differ from some of the proposals made by the Cabinet Delegation and Your Excellency in the declaration of May the 16th. These statements are in conflict with some of the assurances given to us by the Cabinet Mission during our discussions with them. Unjustified claims have recently been made in regard to the unlimited sovereign authority of the Constituent Assembly, the enlarged scope for the Centre and Union subjects, wide powers of Central taxation, and the abrogation of the rights of the States particularly in regard to their armies. It has also been contended that the rights of Paramountcy would, or should, be inherited by the future Government of Indian Union.

2. Your Excellency will no doubt appreciate that most of the matters mentioned above are fundamental to the States, and the acceptance by the Princes of the Cabinet Mission's plan and their consent to work it has been based on the assumption and understanding that there will be no departure from the plan, without the agreement of the main parties concerned, in so far as the basic fundamentals are concerned. These are matters which cannot be settled by the sheer weight of majority. For instance the Centre is to consist of Defence, Foreign Relations and Communications. If the parties to the plan do not agree to the addition of more subjects to this list or to unjustified enlargement of the scope of these subjects, then the basic plan must and should remain. There is the question of Finance and the Residuary powers. If the principal parties to these discussions, and the States are very much a principal party, do not agree to any alterations proposed in regard to these matters then the provisions in the Cabinet Mission's plan must stand. The scope and authority of the Union Government in the affairs of constituent Units is another fundamental matter. There can be no question of interference by the Union in the internal affairs of a unit. All this is inherent in the Cabinet Mission's plan and my discussions with the Cabinet Mission never left me in doubt on any of these points. There are other matters which in the case of the States have been left for discussion with the leaders of political thought in British India. It was for the purpose of these negotiations that we appointed a Negotiating Committee which would discuss these matters with a Committee of the Constituent Assembly of British India, and it was all along understood that this Committee will be representative of all shades of opinion in British India. It is therefore a matter of great surprise to me that one of the leading British Indian parties to these negotiations should have made unilateral declarations prejudging the issue on these important matters. This creates an alarming and grave situation.

3. In endorsing the plan proposed by the Cabinet Mission, the Princes, I am constrained to say, have shown patriotism of the highest order. They approached

these complex problems with an attitude of realism and accommodation. It was hoped that the response by British India would also be "characterized by the same sense of realism and the same spirit of accommodation".

4. I need hardly assure Your Excellency that the States have no intention of resiling from this attitude and are prepared to render every possible assistance towards the immediate attainment by India of her independence. Nor would the States wish to create any difficulties for Your Excellency. At the same time, it should be appreciated that the States also have a right to exist and to make their full contribution towards the future of India. In this connection, may I add that the recent attempts to undermine the sovereign position and the prestige of the duly constituted authorities of the States cannot be regarded as helpful in creating the proper atmosphere which is so essential for the success of the forthcoming negotiations.

Yours sincerely,

HAMIDULLAH

PS. In view of the forthcoming debate on India in the House of Commons on the 18th July I am requesting your Excellency to be pleased to communicate the contents of this letter by cable to the Prime Minister in England, so that he may be in possession of the Princes' views on the present situation.²

II.

² The text of the Nawab's letter was transmitted to the India Office in Mr Scott's tel. 1453-S of 15 July to Mr Turnbull. L/P&J/10/60 f 8

28

Sir E. Jenkins (Punjab) to Field Marshal Viscount Wavell (Extract)

L/P&J/5/249: f 87

SECRET

15 July 1946

No. 614.

Dear Lord Wavell,

I have seen Your Excellency so recently that I need not write at length on the events of the first half of July. The Sikh situation is unchanged and most violent speeches are still being made in all the Sikh districts. A large Diwan held at Sultanwind near Amritsar on the 7th July and following days was marked by the absence of Master Tara Singh and Giani Kartar Singh and by the presence of "General" Mohan Singh of the I.N.A., who had not previously taken an active part in the agitation. The Panthic Board, which held a meeting to consider whether Sikh representatives should be nominated for election to the Constituent Assembly, decided to boycott the election entirely, but later under

pressure from the Congress the Nationalist Sikhs made four nominations and the Akalis followed suit. It is now clear that Narinjan Singh Gill with the support of the Nationalist Sikhs, including Partap Singh Kairon who is now a member of the Congress Working Committee, will do his utmost to keep the Sikhs in line with the Congress. Both the Akali groups originally thought that they could use Narinjan Singh Gill, and Udham Singh Nagoke and Ishar Singh Majhail are still with him. Whether they are using him or he is using them remains to be seen. Master Tara Singh and Giani Kartar Singh seem for the moment to have been pushed into the background, and this accounts for Giani Kartar Singh's ideas, which I have reported separately,¹ about approaches to the Muslim League, to the Sikh States and even to the British. The situation is still obscure and we shall probably not know for some time how things will go.

The Muslim League and the Congress have continued their propaganda about the work of the Cabinet Delegation, and have concentrated largely on the election of representatives to the Constituent Assembly. The Muslims are still very angry at the breaking off of the original negotiations for an Interim Government and think that the Muslim League should have been invited to serve without the Congress. In this they have the sympathy of many British Civilians and Army officers, and some educated Hindus think that the Muslim League were badly treated, although they are glad at the outcome. Hindus generally are jubilant and consider that Jinnah has suffered a severe defeat. The tone of the Press, both Muslim and Hindu, is still deplorably bad.

¹ No 5 is presumably intended

29

Sir F. Burrows (Bengal) to Field Marshal Viscount Wavell

R/3/1/123: ff 116-17

GOVERNMENT HOUSE, CALCUTTA, 15 July 1946

Dear Lord Wavell,

In response to a request from Sir Nazimuddin for an interview, to enable him to acquaint me with the present position regarding the Constitutional proposals and the League's attitude to the Constituent Assembly, I saw him today and we had a friendly and, I think, useful discussion. In the course of an hour's talk, Nazimuddin outlined the doubts and fears the League now entertained in regard to participation in the proposed Constituent Assembly. These are summarised below.

- (a) Nehru's statement¹ that the Congress had only accepted the invitation to join the Constituent Assembly, had undertaken no other obligations

and entertained the intention to "create new situations" had placed the League in a great difficulty as the League had agreed on participation without making any reservations.

- (b) The implications in Nehru's speech that the Constituent Assembly would be a sovereign body, and that Provinces were not bound to operate within the allotted Groups for the framing of Provincial and Group constitutions, if any, rendered it still more imperative for the League to take stock of their own position.
- (c) It was imperative that H.M.G. should give a clear indication that they stood by the Plan as a whole without modification of its fundamentals, namely,—the limited Centre: the grouping of the Provinces: and Constitution-making responsibility, not sovereign status, for the Constituent Assembly.

He was very apprehensive as to what the League Council, called for the end of the month, would decide and had, therefore, sought my advice as we had had some discussion of these matters before the League decided to participate.

2. In the course of the discussion, I made it clear to him that I was speaking solely on my own responsibility and in no way were my views to be taken as necessarily reflecting those of the Viceroy or H.M.G. but that, at the same time, I spoke with a due sense of responsibility as Governor of the Province. I told him that it would be fatal for the League to refrain from participation in the Constituent Assembly solely on account of some statements made by Nehru which, although apparently made by a responsible person, were nevertheless not authoritative as coming from the Working Committee itself or as conveyed by letter to the Viceroy. I also said that nothing had happened to affect the Statement authoritatively made by the Cabinet Mission and the Viceroy that the long-term plan was to be taken as a whole, and that Provinces could not opt out of their groups before they had framed Provincial and, if they so desired, Group Constitutions.

Secondly I advised him that if the League looked for a clear cut decision now from H.M.G., based upon the unsupported statement of Nehru, it was extremely unlikely that they would get one, specially in view of the reported agreement between H.M.G. and the Opposition that a full-dress Debate on the White Paper is not to be taken in Parliament until October.

Thirdly I said that in my view a Constituent Assembly to frame a constitution could not, even by the most clever constitutional lawyer, be deemed a sovereign authority, and that I felt sure that on that issue there would be no shifting of ground by H.M.G.

Nazimuddin evidently felt very bitter about the Interim Government, but on that aspect I personally made no comment except to say that in my view the

¹ See No. 16.

Constituent Assembly and the Interim Government were not one plan but fell under two different headings.

3. I undertook to convey to Your Excellency the purport of our conversation. I gathered the impression that Nazimuddin left me a much relieved man and I have no doubt but what his counsels in the Muslim League Council will be for continued participation.

Yours sincerely,

F. J. BURROWS

30

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/SE&G/7/904: f 119

IMMEDIATE

INDIA OFFICE, 15 July 1946, 9 15 pm

TOP SECRET

No. 13012. Your telegram 149-S.C. of 12th July regarding protection of Services.¹

2. I agree that real protection can be given only by means of gentleman's agreement with Congress and I am sure that you will do your utmost to secure this.

3. Remainder of your telegram clearly raises most important issues on which I must consult my colleagues. I am doing this urgently and will reply further. In the meantime your suggestion to sound ministries as proposed in your paragraph 6 raises issues which we have not yet decided and you should not pursue it.

¹ No 23.

31

Mr Turnbull to Sir W. Croft

L/SE&G/7/904: ff 116, 124-7

16 July 1946

Sir William Croft

The Secretary of State was asked by the Prime Minister to go over at 6.45 last night and discuss the telegram¹ about protection of the Services with him and the Cabinet Mission. The Secretary of State took with him the draft minute² to the Prime Minister and the draft telegram,³ of which copies are below, which I had prepared but had not been able to show to you.

The Secretary of State sent for me this morning and said that Ministers had decided to send a telegram on the lines of the manuscript draft¹ which is on the file. He asked me to put it into shape and submit it in time for him to take to the further meeting which he has with the Prime Minister at 2.30 this afternoon.

I told the Secretary of State that I thought it was very questionable whether a central enquiry could be held into these matters. I take it that some of them concern Provincial officers only and that the Central Government has no locus. I also said that I personally thought that an enquiry of this sort would be disastrous to Service morale. The Secretary of State thought that we must leave it to the Viceroy to come back on this point if he felt it necessary.

Annex to No. 31

Lord Petthick-Lawrence to Mr Attlee

TOP SECRET

INDIA OFFICE, 15 July 1946

Secretary of State's Minute [Draft]: Serial No. 32/46

Prime Minister

I have already sent you a copy of the Viceroy's telegram 149-S.C. of 12th July⁵ (attached) regarding the protection of members of the Services against attacks based on their alleged conduct during the repression of the Congress disturbances in 1942.

2. This telegram clearly raises the most important issues which must be dealt with urgently.

3. I have sent the Viceroy an interim reply⁶ saying that I agree that only a gentleman's agreement with Congress will secure real protection for the Services and asking him to endeavour to obtain one. I have told him that I must consult my colleagues on the rest of the telegram.

4. In my opinion the Governors should, if necessary, use their special responsibilities in the manner proposed in paragraph 3 of the telegram. General roving enquiries by the Congress Governments into the conduct of Government servants in 1942 would have a most devastating effect on the morale of the Services. It is not merely a matter of the Secretary of State's Services but of

¹ No. 23.

² See Annex. A copy of the draft minute is included in the Cripps Papers at the Public Record Office. (CAB 127/107.)

³ This draft is not printed.

⁴ This draft has not been traced; presumably it did not differ materially from the telegram as sent (No. 37).

⁵ No. 23.

⁶ No. 30.

the Provincial Services and the subordinate police. The reason why Congress wish to have such enquiries is to demonstrate their power to the Services and thus weaken their allegiance to British-controlled authority. Paragraph 3 does not exclude the possibility of allowing prosecution or enquiry in respect of individual incidents if the Governor thought the circumstances really justified it.

5. Paragraphs 4 and 5 of the telegram raise the central issue which may come upon us in any number of different forms, namely, whether if it is forced upon us we propose to undertake the repression of a mass movement officially sponsored by the Congress. This is the issue which the Cabinet Mission put to the Cabinet in their telegram Index 61 of the 3rd June⁷ and to which the Cabinet gave an interim reply in Cabin 22 of the 6th June.⁸ The Cabinet only gave the matter preliminary consideration but disliked both repression and withdrawal from the whole of India. Since then the alternatives have been examined by the Chiefs-of-Staff⁹ and the Defence Committee whose report¹⁰ which is contained in C.P. (46) 229 was considered in the Cabinet on 17 June, C.M. (46) 59th Conclusions, Confidential Annex,¹¹ but a decision was deferred.

6. My own view is that if a clash with Congress comes it will do so in one of two main forms. Either there will be sporadic outbreaks of disorder sponsored by Left Wing members of Congress which will gradually spread and will draw to them the support of Congress as a whole or there will be a breach with Congress on some specific issue and Congress will deliver an ultimatum under threat of non-cooperation and organised disorder. In the former case I think we must undoubtedly authorise the authorities in India to maintain order by all the means at their disposal. In the latter case I think that we must consider the Congress demand before such action is authorised.

7. I attach a draft reply¹² to the Viceroy on these lines on which I should like to obtain urgently the views of my colleagues. Would you wish this to be considered by the Mission and yourself or by the India Committee in the first instance? I should have subsequently to put out a full-dress submission to the Cabinet on the main question which must clearly be decided before it is forced upon us by circumstances.

8. Perhaps we could discuss this tomorrow morning when I come to see you about Burma affairs.

⁷ Vol VII, No. 442.

⁸ Vol VII, No. 465.

⁹ Vol. VII, No. 509.

¹⁰ Vol. VII, No. 529.

¹¹ Vol. VII, No. 557.

¹² This draft is not printed.

32

*Mr Abell to Mr Weightman**R/3/1/149: f 2*

No. 1299/2

16 July 1946

My dear Weightman,

Have you considered whether there are any old records in External Affairs Department that concern the Foreign Policy of HMG rather than that of India, and ought to be transferred to the India Office? Obviously all records that are needed for the efficient performance of the work of the department must stay in the department, but there may be files of great historical interest or which might be used as material for anti-British propaganda and which might just as well be sent to the India Office.

2. H.E. has asked me to put this point to you.¹

Yours sincerely,

G. E. B. ABELL

A similar enquiry was addressed to the Political Department R/3/1/149: f 3.

33

*Mr Menon to Mr Turnbull**Telegram, R/3/1/122: ff 153-4*IMMEDIATE
CONFIDENTIAL

NEW DELHI, 16 July 1946, 6.45 pm

Received: 16 July, 8.45 pm

No. 1463-G. Turnbull from Menon. Continuation my telegram No. 155-SC dated 13th July.¹ Elections to Constituent Assembly.

2. All eight Sikh candidates including both Congress and Panthic Sikhs who filed their nomination papers in Punjab (vide paragraph 2 of my telegram No. 154-SC of same date)² have now withdrawn their candidature. Patel in a statement advised the Sikhs to go into the Constituent Assembly and fight their case from inside. Details not available as to why Congress Sikhs also participated in the boycott. (This also answers your telegram No. 12973 of July 15th.)³

¹ This telegram gave the result of the Sind elections to the Constituent Assembly. R/3/1/122: f 148.

² No. 25.

³ This telegram asked for details of the latest position on the Sikh attitude. L/P&J/10/63: f 93.

3. Muslim League has decided not to put up any League candidate for election from Baluchistan but has appealed to the electorate to elect a "true and faithful Muslim who will support the Muslim League and the Muslim national

4. Following the lead given by Europeans in Bengal Europeans in Assam also have decided not to participate in elections to Constituent Assembly.

5. Congress nominations in the several Provinces have now been reported in the Press. Important features are indicated below.

Madras. In addition to prominent Congress leaders including Prakasam, Prime Minister and Rajagopalachari, Sir Kumararaja Muthiah Chettiar and Raja of Bobbili, both of Justice Party, have been nominated. Non-party men include Sir N. Gopalaswami Ayyangar, formerly Prime Minister of Kashmir, and Sir Alladi Krishnaswami Iyer, ex-Advocate-General.

Bombay. Prominent Congressmen include Kher, Prime Minister, Patel and Munshi. Non-party men include Jayakar and Mrs. Hansa Mehta.

Bengal. Only important feature is that S. P. Mookerjee, President of Hindu Mahasabha, has been nominated by Congress.

U.P. Pant, Premier and Nehru have been included as well as non-party men like Sir Radhakrishnan and Pandit Kunzru.

Bihar. Prominent nominations include Dr. Rajendra Prasad, Mrs. Sarojini Naidu and Sri Krishna Sinha, Premier.

Orissa. Harekrishna Mchtab, Premier, has been nominated.

6. I may add for what it is worth that Gandhi in a recent article in *Harijan* has severely criticised members of the All India Congress Committee who opposed Congress participation in Constituent Assembly. He has referred to the incidents in Madura and Ahmedabad and says that it would be folly to attribute everything evil to British and that this senseless theory would only perpetuate foreign domination. According to Gandhi, British will go in any case: they want to go in an orderly manner as is evident from the State Paper or they will go and leave India to her own fate assuming that India has forsaken the path of non-violence with certain result of combined intervention of armed powers. If therefore the Constituent Assembly fizzles out it will not be because British are wicked but because we (Indians) are fools or wicked or both.

34

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/112: ff 15-16

IMMEDIATE
CONFIDENTIAL

NEW DELHI, 16 July 1946, 9.50 pm

Received: 17 July, 1.35 am

No. 1464-S. You have received reports of Nehru's remarks at a press conference in Bombay on July 10th¹ and of Jinnah's reaction in an interview at Hyderabad on the 12th July.² You have also received in my telegram No. 1453-S of the 15th July the text of the Chancellor's letter³ on the subject.

2. From the full API report which has been telegraphed today it does not repeat not appear that the Congress have definitely decided to disregard the procedure laid down for the Constituent Assembly or to try for instance to carry a decision on a major communal issue (such as initial grouping in Sections A, B and C) by a bare majority, although individual passages read out of their context give the opposite impression.

3. The Congress press has naturally gone farther than Nehru and both the Princes and the League have been agitated by articles suggesting that the Congress will regard the Constituent Assembly as a completely sovereign body, that Central subjects will be greatly expanded etc.

4. I recommend that a statement on the following lines should be made in the course of Parliamentary debate:

"Though some press reports might give the contrary impression, HMG have no reason at present to suppose that the Congress will attempt to disregard the procedure laid down in para. 19 of the Statement of the 16th May or for instance to claim the right to pass a resolution on an issue adjudged to be a major communal issue or a resolution varying the provisions of para. 15 without the necessary majority of each of the two major communities. All parties are undoubtedly aware that the decisions of a Constituent Assembly proceeding on some other basis than that of the statement of the 16th May could not be accepted or implemented by HMG.

Anxiety has been caused to the States by statements implying that the Central subjects can be expanded, without their consent, that paramountcy will be inherited by the Union Government and so on. Such pronouncements are unfounded. The States have not yet negotiated the terms on which they are

¹ No. 16.

² Mr Jinnah said that Pandit Nehru's statement was a complete repudiation of the basic form on which the long-term scheme rested. He felt it was up to the British Parliament and H.M.G. to make this clear beyond a doubt and to remove the impression that Congress had accepted the long-term scheme.

³ No. 27.

prepared to be represented in the Constituent Assembly. It is hoped that the States Negotiating Committee when it meets the British Indian portion of the Constituent Assembly at its preliminary session will be able to negotiate terms which will be acceptable."

35

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/116: f 26

IMMEDIATE
CONFIDENTIAL
PERSONAL

NEW DELHI, 16 July 1946, 10.10 pm
Received: 16 July, 11.50 pm

No. 1466-S. Letter of which text is given in my immediately succeeding telegram had been prepared and was about to issue when your personal letter of July 12th¹ arrived. Grateful for very early reply to succeeding telegram.

¹ No. 24

36

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/116: ff 27-8

IMMEDIATE
CONFIDENTIAL

NEW DELHI, 16 July 1946, 11.45 pm
Received: 17 July, 1.30 am

No. 1467-S. Following is text of draft letter to Congress and Muslim League Presidents. *Begins.* I declared my intention of replacing the present caretaker government of officials by an Interim Coalition Government as soon as possible; and am now putting to you as President of the $\frac{\text{Congress}}{\text{Muslim League}}$ and to the President of the $\frac{\text{Muslim League}}{\text{Congress}}$ the proposals set out below.

2. I think you will probably agree with me that our negotiations both this summer and last year were hampered by the attendant publicity. I am therefore seeking your co-operation in conducting at any rate the preliminary stages of the negotiations on a strictly personal and secret basis between myself and the two Presidents. I very much hope that you will prevent this correspondence being known to or discussed in the Press until we have seen whether we can find some basis of agreement. I realise of course that you will have at some stage

to secure the approval of your Working Committee; but I believe it will be best to try and reach some basis of agreement between ourselves as a first step.

3. My general proposal for the Interim Government is as follows:

(a) It shall consist of fourteen members;

(b) Six members (to include one Scheduled Caste representative) shall be nominated by the Congress;

Five members shall be nominated by the Muslim League;

Three representatives of minorities shall be nominated by the Viceroy.

It shall not be open to either the Congress or the Muslim League to object to the names submitted by the other Party, provided¹ that they are accepted by the Viceroy.

(c) Distribution of portfolios would be decided after the parties had agreed to enter the Government and had submitted their names. The Congress and the Muslim League would have an equitable share of the most important portfolios.

4 The assurances about the status of the Interim Government which I gave in my letter dated 30th May² to Maulana Azad stand.

5 I would welcome a convention, if freely offered by the Congress, that major communal issues can only be decided by the assent of both the major parties, but I have never thought that it was essential to make this a formal condition since in fact a Coalition Government could work on no other basis.

6 I would not change the basic composition of the Government as given in paragraph 3 (b) above during its life-time without the consent of both the Congress and the Muslim League.

7. I sincerely trust that your Party will agree to co-operate in the administration of India on the above basis, while the work of constitution-making proceeds. I am confident that this will be of the greatest possible benefit to India. I suggest that we would not spend further time in negotiation; but should try out at once a Government on the basis proposed above. If it does not work, and you find conditions unsatisfactory, it will be open to you to withdraw, but I am confident that you will not.

8. Would you be good enough to let me know very soon whether the Congress Muslim League will enter in the Interim Government on this basis? I have written in similar terms to Mr. Jinnah Pandit Nehru and enclose a copy of my letter to him. *Ends.*

¹ 'provided' omitted in decipher.

² Vol. VII, No. 409.

2. It is important to waste no time over new approach especially as Muslim League Working Committee is meeting on 27th July. I should like to issue these letters at once unless you have serious objection.

37

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/S&G/7/904: ff 117-18

IMMEDIATE

INDIA OFFICE, 16 July 1946, 11 pm

TOP SECRET

13097. Superintendent Series. Your telegram 149-S.C. of 12th July.¹ I have discussed with Prime Minister and colleagues. We consider that if Congress do not agree to come to gentleman's agreement not to pursue these cases it is highly undesirable that special responsibilities should be invoked to refuse to allow any form of enquiry, as we understand that there were actions taken by individuals in 1942 which were clearly unjustifiable. We feel therefore that failing Congress agreement to shut down on the whole question you should make an attempt to find some compromise solution.

2. So far as the S/S's Services are concerned we suggest that you might consider suggesting that the Central Government or yourself should set up a properly constituted commission of enquiry presided over by a High Court Judge, not to conduct a roving investigation but to enquire into any properly supported *prima facie* cases. If there are other cases in which the Provincial Services are concerned and it is technically impossible, owing to the matters in question being within the Provincial field of authority, for the Central Government to institute such procedure perhaps the Governors in the individual Provinces could set up a similar enquiry. In any case in our view it is essential to try to make some arrangement which Nehru will accept as an adequate solution.

3. We should like you to report the results of your discussions with Congress Leaders on this issue and are not prepared at present to decide what should be done in the event of a complete break with Congress on this or other issues until we know broadly the surrounding circumstances of a likely breakdown.

4. We support the view already expressed by me in my telegram 13012² that Provincial ministries should not be sounded on the lines proposed in paragraph 6.

5. We shall be considering as soon as possible question of compensation but it is very unlikely that we can reach decisions in the time you mention. As soon as decisions are reached I will inform you.

¹ No. 23.

² No. 30.

38

Mr Turnbull to Sir W. Croft

L/S&G/7/912: f 219

17 July 1946

Sir William Croft,

I attended a meeting yesterday of the Prime Minister and the members of the Cabinet Mission as the Secretary of State wished me to take notes.

The first item discussed was the line about the Interim Government on which I am shortly submitting.

The meeting then discussed (a) continued recruitment to the Secretary of State's Services, (b) compensation. The Secretary of State explained that these two subjects were linked by the fact that compensation had been promised to existing members of the Services not less favourable than that laid down for new recruits.

The meeting were quite definitely opposed to the continuance of recruitment and as I understand it effect is to be given to this forthwith.

As regards compensation the following views were expressed:—

- (a) That compensation should not be given in addition to continued employment either in India under the new Government of India or elsewhere, assuming of course that the employment was reasonably comparable. It was felt that a considerable number of the European I.C.S. and Police officers should be absorbable in Burma or the Colonies or at home.
- (b) That the question of compensation was one to be settled, vis-à-vis the Government of India, in the negotiations for the Treaty and if a reasonable attitude was not forthcoming we might have to recoup the cost out of the sterling balances.
- (c) The Prime Minister wished a paper to be put up as soon as possible to the Cabinet explaining the decision now reached about compensation showing in particular what undertakings have been given on this subject already and on what authority.

39

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/123: f 128

IMMEDIATE

NEW DELHI, 17 July 1946, 11 am

CONFIDENTIAL

No. 1469-S. Reference my telegram No. 1464-S of yesterday.¹ Following en clair telegram gives extracts from today's leader in *Dawn*. It is clear that firm statement is necessary in order to bring League into Constituent Assembly and Interim Government and I see no reason why statement on lines suggested should prejudice our chances with Congress.

¹ No. 34

40

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/123: f 129

IMMEDIATE

NEW DELHI, 17 July 1946, 11 am

EN CLAIR

No. 1470-S. *Dawn* leader today includes following passages:—

(a) *Begins*: The question now before the British Government is simply stated. Are they going to delude themselves and mislead the world by continuing to hug the illusion that Congress has accepted their long-term Plan and constitution-making in India will now proceed on the basis of the compromise formula laid down with their authority by the Cabinet Mission; or are they going to make it clear once again that should any party, be it the Muslim League or the Congress proceed inside the Constituent Assembly on any other basis than that categorically specified in the State Paper of May 16th, 1946, the Plan will be deemed to have failed and the Constituent Assembly set up under it will be dissolved? When spokesmen of the British Government make their statements in Parliament tomorrow they cannot ignore these questions and continue to pretend that all is well in India. *Ends*.

(b) *Begins*: On the other hand, if Mr. Attlee and his colleagues indicate in tomorrow's debate that their silence hitherto, in the face of Congress leaders' bragging to treat their Statement of May 16th as a scrap of paper, has been due to extreme patience and not cowardice, and if they restate that there shall be no departure from the fundamental basis of that Statement, Muslims would still

be willing to play their part honourably and peacefully, provided that such a restatement by the British Government is logically followed up by action in respect of the setting up of an interim Government also. *Ends.*

41

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, R/3/1/123: f 130

MOST IMMEDIATE
SECRET

INDIA OFFICE, 17 July 1946, 8.35 pm
Received: 18 July, 2 am

No. 13175. Your telegram No. 1464-S.¹ Much obliged to you for calling our attention to these matters. In my next succeeding telegram I am sending you words proposed to be used in both Houses by us dealing with points in question.²

¹ No 34

² In tel 1483-S of 18 July, Lord Wavell told Lord Pethick-Lawrence that the form of words proposed in No 42 met his point and should have a good effect in India. R/3/1/123: f 137

42

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, R/3/1/123: ff 131-2

MOST IMMEDIATE
CONFIDENTIAL

INDIA OFFICE, 17 July 1946, 10 pm
Received: 18 July, 7.15 am

No. 13176. My immediately preceding telegram. Text as follows:—

Begins. Before I leave this matter of Constituent Assembly I would like to mention some of the recent reports coming from India as to intention of the Parties in joining Constituent Assembly.

We saw both Parties shortly before we left India and they stated to us quite categorically that it was their intention to go into Assembly with the object of making it work. They are of course at perfect liberty to advance their own views of what should or should not be basis of a future constitution. That is the purpose of the Constituent Assembly to hammer out agreement from diverse opinions and plans and likewise they can put forward their views as to how Constituent Assembly should conduct its business. But having agreed to Statement of 16th May and Constituent Assembly elected in accordance with that statement they cannot of course go outside the terms of what has been

agreed to, that would not be fair to the other Parties who come in, and it is on the basis of that agreed procedure that H.M.G. have said that they will accept decision of Constituent Assembly. As to States they need have no anxiety since it is for them to agree freely to come in or not as they choose. It is for that purpose that they have set up a negotiating committee and I am sure that the committee will have the wisdom to work out an acceptable basis for their co-operation in Constituent Assembly.

It is after all upon free consents of many diverse elements of Indian people that success of new constitution will depend, and I am confident from all that was said to us in India that all Parties appreciate this fundamental fact. Union cannot be by force, it must be by agreement and it will be the task of the Constituent Assembly to attain that agreement which will be possible if majority and minorities alike are tolerant and are prepared to co-operate in the future of all-India. *Ends.*

43

General Sir A. Mosley Mayne to Lieutenant-General Simpson

L/WS/1/1069: ff 207-9

PERSONAL AND CONFIDENTIAL

17 July 1946

No. A.G.O.M.M. 490

In a letter which I wrote to F. M. Auchinleck a little while ago, mainly on the question of the despatch to India of British reinforcements, I asked whether, from time to time, he could lay odds—and if so, what odds—on or against the contingency arising which would necessitate:—

- (a) the despatch to India of any British reinforcements at all;
- (b) the withdrawal of European families from India and/or the imposition of a ban on the grant to families of further passages to India.

I asked him also to let me have his latest views about the likelihood of anti-British, as distinct from Communal, disturbances.

F. M. Auchinleck's answer, of which I give an extract below, will be of interest, I think, to the C.I.G.S., to you, to the D.M.O. and to the D.M.I.:—

"I personally do not think there is likely to be an outbreak of violence in this country specifically directed against Europeans, but this is only my opinion and I may be wrong.

There are a number of agitators and extremists preaching violence and murder almost openly. I do not believe that at present they have the support of the leaders of parties or of the great mass of the people—quite the reverse

in fact. However, as you know as well as I do, any widespread disorder such as might be caused by strikes, famine, communal strife is always liable, and even likely to take an anti-European bias, if there are agitators on the spot, as there will be, to start the ball rolling.

This is a constant condition and likely to remain so until public opinion becomes better informed and more stable—a matter of years in my opinion.

I do not think myself there is any widespread anti-British feeling, nor has there been for some years now, certainly nothing like the feeling that has recurred periodically for longer, or shorter periods at various times during the last 30 years or so. Here again I may be quite wrong and the possibility of the real out and out extremists gaining control can never be excluded. They, like any other extremists, elsewhere as well as in India, are fanatics who will act accordingly and try to make the masses copy their example.

Another danger of course is the possibility of Congress intensifying the present agitation about Indians in South Africa as an easy means of keeping popular interest in this racial question alive. This might in time lead to retaliation against Europeans, but this would probably be sporadic and unlikely to lead to widespread trouble.

You ask me to lay odds on certain contingencies! A difficult business!! Personally I do not think that at the moment, a situation is likely to arise which would demand the despatch of British reinforcements to India within the next three or even six months. Nor do I believe that it will be necessary to put a ban on the movement of British families to India, or to contemplate withdrawing them.

I do think, however, that it is inadvisable for officers to get their families out here until we can see the political future more clearly, as they may put themselves to unnecessary expense and disturbance.

I think this should be explained to those desirous of getting their families out. Added to this, the accommodation problem is really serious and families are likely to suffer considerable discomfort and be liable to separation even in India, until we can get back to full peace conditions."

Although I know the situation in India is likely to remain tricky for a long while, I am optimistic to the extent of thinking that riots and disturbances, however difficult they may be to quash, will NOT take the form of heaping British women and children into a Blood Bath!!

44

*Mr Godfrey (Assam) to Mr Abell**R/3/1/123: ff 133-5*

D.O. NO. 880/C.

GOVERNOR'S SECRETARIAT,
SHILLONG, 17 July 1946

My dear Abell,

I am desired by His Excellency to forward herewith two copies of his letter No. 518-G dated the 17th July 1946 to His Excellency Sir Frederick Burrows for the information of His Excellency the Viceroy.

Yours sincerely,

R. W. GODFREY

*Enclosure to No. 44**Mr Bourne (Assam) to Sir F. Burrows (Bengal)*

No. 518-G

17 July 1946

As promised in the last sentence of my D.O. No. 516-G of the 15th of July,¹ I write to inform you of the proceedings relating to the election of Assam representatives to the Constituent Assembly which took place yesterday. The following persons have been elected:—

General Part

1. The Hon'ble Srijut Gopinath Bardoloi, M.A., B.L., H.P.M.
2. Srijut Rohini Kumar Chaudhuri, B.L., M.L.A. (Central)
3. The Hon'ble Mr. Basanta Kumar Das., B.L.
4. The Hon'ble Rev. J. J. M. Nichols-Roy, B.A., H.M. (Public Works)
(Tribal)
5. Srijut Omeo Kumar Das, B.A., M.L.A.
6. Srijut Dharanidhar Basumatari, M.L.A. (Tribal)
7. Babu Akshay Kumār Das, B.L., M.L.A. (Scheduled Caste)

Muslim Part

1. Maulavi Saiyid Sir Muhammad Saadulla, K.C.I.E., M.A., B.L., M.L.A.
2. Maulavi Abdul Matin Chaudhury, B.L., M.L.A. -
3. Maulavi Abdul Hamid, B.L., M.L.A.

2. The procedure was as follows. After my message had been read, Whittaker moved that in accordance with the request contained in this message the House do now proceed with the business of electing representatives to the Constituent Assembly. Whittaker was supported by the Premier; the question was put and carried unanimously.

3. The Premier desired at this point to move the following resolution:—

“Whereas this Assembly after a very careful consideration of the Statement made by the British Cabinet Delegation and His Excellency the Viceroy on the 16th May, 1946, is of opinion that the Province of Assam has an undoubted claim to have the Constitution of the Province framed and settled by its own representatives elected to the Constituent Assembly and that it will be detrimental to the interest of the Province of Assam to form any Section or Sections or Group or Groups with any other Province of British India for the purpose of settling the constitution for the Province of Assam; and

Whereas this Assembly is of opinion that no Group Constitution should be set up for any Group of provinces including therein the Province of Assam and that no provincial subjects in which the Province of Assam is interested or concerned should be dealt with by any such Section or Group of provinces, this Assembly directs the ten representatives elected by it as laid down in the said Statement of the 16th May, 1946, to act in the manner set forth below:—

1. That the said representatives shall frame and settle the Constitution for the Province of Assam in a meeting or meetings in which only they, i.e. the representatives elected for the Constituent Assembly by the Assam Legislative Assembly shall take part,

2. That the said representatives shall not take part in any meeting or meetings of any Section or Group of provinces for the purpose of settling the Constitution for the Province of Assam,

3. That the said representatives shall resist all or any attempt made to set up a Group Constitution for the settlement of questions relating to any subject or subjects in which the Province of Assam is interested or concerned or for any such question being dealt with by any such Group of provinces on the basis of majority of votes, and

4. That the said representatives shall take part in the meeting of the Constituent Assembly for the purpose of framing and settling the Union Constitution and in all matters relating to the Union Constitution.”

A point of order was raised whether this resolution could be moved before the election had taken place. The Speaker held it could, and a debate followed.

4. Only the Premier spoke in favour of the motion. Sir Muhammad Saadulla in opposing it regarded the adoption of the motion as a foregone conclusion as, in his opinion, it was the result of a directive from the Congress High Command. In his opinion the motion, if carried, would not be a free expression of opinion by the people of Assam and in any event he and the Muslims sitting on his side of the House, following the guidance of the All-India Muslim League, would have absolutely nothing to do with it. He made a very able speech pointing

¹ Not on R/3/1/123.

out the obvious advantages which might accrue to the province from co-operation with Bengal. But having made this protest he stated that his party would take no further part either in the discussion or in the voting on the motion. Whittaker followed with a speech somewhat on the same lines and urging the Government benches not to press the motion to a division, since a motion carried to this effect would only embarrass the Assam representatives in so far as it sought to tie them down to a line of action prescribed without proper consideration of all the merits or demerits of the group proposal. It is clear however that the majority party in the Assembly had made up their minds in advance that the motion was to go through, and after the Premier had made a brief reply the question was put and the motion carried without a division.

5. I do not know how far it is true that the motion was based on a directive from the Congress High Command, but I am quite certain that, as worded, it goes far beyond what is intended by the Premier and his colleagues. The Premier himself admitted in the course of his speech that "There are hundreds of subjects which we shall have to discuss with Bengal for their proper solution." He mentioned trade, University education, High Court and so on. The impression he tried to give was that the motion was quite innocuous and designed merely to register the dislike of the Assam representatives for having a constitution which they did not like forced upon them and being compelled to accept the vote of an alien majority in matters in which they were closely interested. Sir Muhammad Saadulla pointed out that the resolution as worded would not bear this more or less non-controversial interpretation. I have not seen the Premier himself today, but I have seen one of the Ministers, who is incidentally one of those elected as a representative to the Constituent Assembly, and he assured me that his party had no objection to grouping with Bengal in matters of common interest. The phrase "majority vote" seems to have gone to their heads. If the Premier and his party felt that the Assam representatives in any Group Assembly would be regarded as a unit of equal voting power to the total Bengal representation, I do not think they would have any hesitation in agreeing to meeting in a Group. I pointed out to the Premier a day or two ago that if the Congress were going to the Constituent Assembly with the intention of blocking every attempt to introduce Group constitutions the Muslim League High Command would inevitably walk out. Possibly the Congress would not mind if they did. But I am reluctant to believe they are as irresponsible as this. Sir Muhammad Saadulla, speaking on behalf of his party, stated quite clearly that his representatives regarded themselves as entirely unfettered by the Assembly vote on this motion; so that its passage through the Assembly will have little effect one way or the other, except in so far as it may serve to exasperate the High Command of the Muslim League.

Yours sincerely,

F. C. BOURNE

45

Cabinet C.M. (46) 69th Conclusions, Minute 3

L/PEJ/10/73: f 220

Those present at this Meeting held at 10 Downing Street, S.W. 1, on 18 July 1946 at 10 am were: Mr Attlee (in the Chair), Mr Herbert Morrison, Mr Ernest Bevin, Mr Arthur Greenwood, Mr Hugh Dalton, Sir Stafford Cripps, Mr A. V. Alexander, Lord Jowitt, Mr J. Chuter Ede, Viscount Addison, Mr G. H. Hall, Mr J. J. Lawson, Mr J. Westwood, Mr G. A. Isaacs, Mr E. Shinwell, Miss Ellen Wilkinson, Mr Aneurin Bevan, Mr T. Williams

Also present during discussion of item 3 was: Mr William Whiteley

INDIA

(Previous Reference: C.M. (46) 65th Conclusions, Minute 1)¹

THE PRIME MINISTER informed the Cabinet that the Viceroy was about to reopen negotiations with the Leaders of Congress and the Moslem League regarding the formation of an Interim Coalition Government in India. He proposed to negotiate on the basis of a Government of fourteen members, six of whom (including one scheduled caste representative) would be nominated by Congress, five by the Moslem League and three, to represent minorities, by the Viceroy. It was proposed to send a telegram to the Viceroy approving the general line which he intended to take and making it clear that in [the] view of His Majesty's Government, Mr. Jinnah's claim that only the Moslem League could nominate Moslems could not be allowed to prevent the formation of an Interim Government.

The Cabinet—

Approved the course proposed by the Prime Minister.

¹ No 7

46

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/SE&G/7/904: f 114

IMMEDIATE

NEW DELHI, 18 July 1946, 2.30 pm

TOP SECRET

Received: 18 July, 1.40 pm

1484-S. Your 13097 of July 16th.¹ Services.

Para. No. 3 (II) of my telegram No. 149-S.C. dated July 12th² may have been misunderstood. I must make it quite clear that there can be no question of allowing any kind of *general* enquiry into 1942 disturbances. Neither I nor any

¹ No. 37. ² No. 23.

of the Governors concerned could consent to this and such enquiry would result in disintegration of the services. Governors can, however, give way to their ministries, if necessary, to extent of allowing investigation by suitable judicial authority of incidents in which there is a genuine *prima facie* case. It would be the duty of governor in his individual judgment to examine each case and satisfy himself that there was ground for permitting an enquiry. A decision on these lines has already been announced by Bihar Premier in the Legislature and, though he naturally omitted mention of Governor's special responsibility, he knows that it will be attracted.

2. I hope that you will be able to let me know soon reasons that led you to reject proposal to consult ministers made by four governors, Home member and myself in para. No. 6 of our telegram No. 149-S.C.

3. Your para. No. 3. I hope to see Nehru at an early date. But it will be most unwise for H.M.G. to refrain from deciding on any policy in the event of break with Congress until such break actually occurs. If they have a definite policy, it may be possible to use it to prevent a break; and it will be quite impossible for me to take adequate measures to prepare for and implement a policy if general lines are not decided beforehand.

47

Sir E. Jenkins (Punjab) to Field Marshal Viscount Wavell

Telegram, R/3/1/132: ff 123-4

IMMEDIATE

SECRET

18 July 1946, 8.50 pm

Received: 19 July, 1 am

No. 60-G. Constituent Assembly. Baldev Singh gives following account of withdrawal of Sikh nominations.

2. When Panthic Board met on July 9th Akalis favoured total boycott. Congress Sikhs had however been ordered by High Command (a) to support nominations acceptable to Panth as a whole or (b) failing (a) to make their own nominations. There was heated discussion and on 10th Board decided on boycott. According to Baldev Singh Congress Sikhs did not understand High Command instructions.

3. On evening of 10th Baldev Singh communicated with Patel who made intentions of High Command quite clear. He then saw Partab Singh Kairon recently appointed to Congress Working Committee and advised him strongly to nominate four Congress Sikhs. He knew that if this were done Akalis would follow suit. Baldev Singh's plan succeeded and eight Sikhs were nominated.

4. On 14th Board held further meeting at which Partab Singh was strongly criticised both from Akalis and from Congress Sikhs who are jealous of his appointment to Working Committee. Sachar communicated with Nehru by telephone and apparently informed Partab Singh that Sikhs might do as they pleased.¹ Meeting then upheld boycott decision and withdrawal of nominations followed. Baldev Singh attributed fiasco to ineptitude of Sachar who acted throughout as mouthpiece of High Command and failed to interpret instructions correctly.

5. Nehru has since telephoned insisting that four Sikhs be nominated and urging application for bye election. Baldev Singh says that if bye election is held and Congress Sikhs are nominated Akalis will again follow suit.

6. I have told Baldev Singh I know nothing about bye elections though presumably there will be machinery for filling casual vacancies. Please telegraph (i) whether bye election can be held for Sikhs and (ii) if so where and by what procedure. I presume formal Assembly session would not again be necessary. Grateful for reply by July 22nd when Baldev Singh leaves Lahore on short holiday.

¹ In tel. 1486-G of 18 July, Mr Menon informed Mr Turnbull of a statement by Pandit Nehru in which he said that recent Sikh developments in connection with the Constituent Assembly had puzzled and perplexed him. In addition the postal strike and partial telegraph strike had helped in adding to the obscurity 'Ultimately, it became impossible for me to disentangle the separate threads and I told the Congress Sikhs in the Punjab that they must understand the Congress position clearly and keeping this in view act as they thought best' R/3/1/122. f 166. Mr Abell noted on Pandit Nehru's statement 'A muddle which will do Nehru's personal reputation no good' Lord Wavell added: 'Not a very lucid explanation either.' R/3/1/132: f 121

48

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/PEJ/10/73: f 214

IMMEDIATE

INDIA OFFICE, 18 July 1946, 10.30 pm

Received: 19 July, 9 am

No. 13266. My immediately succeeding telegram gives you views of H.M.G. relating to interim government. I notice that it does not deal with paras. 4 and 6 of your telegram 1467-S.¹ As to para. 4, it is in accord with our views and I am sure my colleagues will agree to it. But as to para. 6, I would ask you not to give assurance of this kind pending my consultation with my colleagues on this issue.

¹ No. 36.

49

Lord Petluck-Lawrence to Field Marshal Viscount Wavell

Telegram, L/PEJ/10/73: ff 217-18

IMMEDIATE

INDIA OFFICE, 18 July 1946, 11.10 pm

Received: 19 July, 8.30 am

13267. Superintendent Series. I have considered your telegram 1467-S¹ of 17th July in consultation with P.M. and some of my Cabinet colleagues. On the underlying principles we are in substantial agreement with you. In particular we are clear that we cannot accept Jinnah's claim that only Muslim League can nominate Muslims and we cannot allow this demand to stand in the way of an Interim Government being formed. We also agree that 6:5:3 proportions is the right basis, though if Sikhs are excluded for the time being it will be desirable to keep one place out of 14 vacant for their later entry.

2. While we desire you to have the widest latitude in your method of dealing with the situation, we consider in the light of our experience, that it may be dangerous to place before the Parties a written communication which might be held to hamper you in further discussion. We suggest for your consideration a variation of tactics. What we suggest is that as a first step you should see Jinnah and inform him that you intend to proceed on the principle that it shall not be open to either party to object to the names put forward by the other party if they are accepted by the Viceroy, and wish to know whether he will come in on that basis. We think it is of very great importance that this should be put to him before any discussion takes place as to the proportions of party representation so that Jinnah must either accept or reject the principle. As regards decisions raising major communal issues we should like you to say that we consider that in a coalition Government matters raising a major communal issue affecting the Muslims clearly should not be carried against the views of the majority of the Muslims in the Government. You will no doubt appreciate that we could not give a written undertaking.

3. If Jinnah is prepared to come in on this basis we suggest that you should then tell him that you propose to try and form a Government on the basis of your 3 (a) and (b).

4. You would then see Nehru and inform him that you had secured Jinnah's acceptance of the principle above referred to on the understanding that the principle of a majority of both communities for a decision of a major communal issue would be recognised. You would urge upon him that Congress should definitely accept this as a contribution to a settlement. You would also propose to him that the proportions should be as stated above and press firmly on

Congress that they must not upbid their claims as expressed in letter of June 25th.² If both sides accepted these proportions you would then ask them to submit names for their places making it clear that you reserve the right to ask for further names if any of the individuals proposed are in your view unsuitable on personal grounds.

5. After these names have been settled we think that the next step should be to consult Nehru and Jinnah together or separately as to the names of minority representatives. If agreement cannot be reached you would make the choice yourself in the light of views expressed.

6. At this stage no doubt you would proceed to your paragraph 3 (c).

7. If Jinnah refuses to accept on the basis that Congress can include a Moslem we have no doubt that you will agree with us that in the last resort we must proceed to form as representative as possible an interim Government without the Muslim League. At some appropriate time you will no doubt make it clear to Jinnah that this is the inevitable result of his refusal to co-operate.

8. If Muslim League stays out of Interim Government our intention is that you should fill the Muslim League quota of places so far as possible with other Muslims.

9. If either side decline to come in on the question of numbers or portfolios we should like to consider the position further.

¹ No. 36

² Vol VII, No. 603.

50

Minute by Mr Turnbull

L/S&G/7/904: f 104

19 July 1946

Mr Iddon.

Under-Secretary of State.

I have tried my hand at a draft which is below.¹

2. I attended as Secretary the meeting of the Cabinet Mission and the Prime Minister which considered this subject. Ministers were very definite that there must not be a breach with Congress on the ground that Governors refused any enquiry into cases where there was genuine prima facie evidence of unjustifiable conduct. The Prime Minister made the suggestion that there should be a single

¹ Presumably a draft reply to No. 46. There are a number of drafts on L/S&G/7/904 but it is not possible to identify which is Mr Turnbull's.

Commission of Enquiry appointed by the Centre. The object of this was to ensure that it was genuinely impartial and that the Services should have confidence that it was not biased by the local prejudices of the Provincial Ministry. No one suggested that it should be a roving Commission of Enquiry. All that it is proposed is that instead of each Provincial Government setting up ad hoc enquiries into individual cases, the individual cases should all be dealt with by one body. This would have the great advantage also that the same standards would be applied in reaching a decision on the different cases.

3. This point came up at very short notice and I suggested to the Secretary of State that it was doubtful whether the Centre was legally in a position to appoint a Commission. I may have been wrong about this but I thought that if members of the Provincial Services were involved the Centre would have no locus in the matter. The Prime Minister was dissatisfied at the meeting that a definite view had not been given by the India Office. Can you say what the answer is?

4. I think the Secretary of State should know before this is discussed again what the cases involved are. He may have seen the papers about this but they are not put up and of course they are off my beat. Are they confined to Secretary of State's Services or are there cases against Provincial Officers and subordinate police?

5. The Secretary of State proposes to speak to Sir Stafford Cripps about this this morning so the matter is urgent.²

F. F. T.

² In a note of 19 July Mr Iddon advised that it would be possible for the Secretary of State to order the setting up of a Central Enquiry Commission which could cover all the Services and not merely the Secretary of State's Services. Mr Iddon stated that the India Office knew little or nothing about the actual cases involving members of the Services. L/S&G/7/904: ff 105-6.

51

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/132: f 126

IMMEDIATE
CONFIDENTIAL

NEW DELHI, 19 July 1946, 8.30 pm
Received: 19 July, 6.50 pm

No. 1505-S. I repeat in immediately succeeding telegram Punjab Governor's telegram No. 60-G of 18th July about Sikhs.¹ No provision was made in our statement of 16th May for bye-elections and intention was that this matter should be left to Constituent Assembly. Punjab Assembly has held elections

today and decision of Sikh candidates to withdraw will result in the Sikh part of Punjab Assembly not repeat not returning its quota to Constituent Assembly.

2. I do not think we should modify statement of May 16th by issuing instructions for the special purpose of bye-election to Sikh seats. I think best course would be to leave matter to Constituent Assembly but to make it clear in public statement now that it is obvious that Constituent Assembly will have to prescribe procedure for bye-elections and that as soon as this has been done there will be nothing to prevent bye-elections for the Sikh seats. Please telegraph at once if you agree.

3. Punjab Governor agrees to this course.

¹ Lord Wavell's tel. 1506-S to Lord Pethick-Lawrence repeated the text of No. 47. R/3/1/132: f 127.

52

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/116: ff 49-50

IMMEDIATE

NEW DELHI, 19 July 1946, 11 pm

TOP SECRET

Received: 19 July, 9.35 pm

No. 1504-S. Your 13267 of July 18th.¹ Interim Government.

1. I am glad that you and your colleagues agree with the general principles of the approach I propose and will give me the widest latitude in method of dealing with the situation. Clearly negotiations cannot be controlled in detail from London, especially if they are verbal. I shall of course keep you in close touch.

2. I should still very much prefer to make the first approach by letter. I consider it would have the advantages of (a) precision, (b) avoidance of misunderstandings, (c) the psychological effect of an entirely fresh approach, and (d) avoidance of publicity which naturally attaches to interview procedure.

In my original draft I put in a provision that the negotiations should be kept as strictly secret between the three of us and that all letters should be destroyed if we failed to reach agreement; on consideration I did not think this practical or that it would be entirely observed. I can however reintroduce it if you wish.

3. I do not think that your proposed method is quite fair to Jinnah, since it attempts to pin him down on the main point on which he will raise objections without disclosing to him the whole proposal. I am certain that he would refuse. I feel that I must put the proposal to him as a whole. He is still very sore and I

¹ No. 49.

cannot confront him with a demand for what he will call one more concession unless I can let him know what he can hope to get if he makes it.

4. I do not want any further misunderstandings or accusations of bad faith, and this is one of the principal reasons why I prefer a written approach. I cannot see why we are any more committed by an approach in writing than an oral one, since it is surely not suggested that any proposals put forward orally can be subsequently disowned, any more than ones in writing. Our offer of June 16th was in writing.

5. I therefore still very much prefer to make the approach in the method I have suggested. I should be grateful for an immediate reply as Jinnah's meeting is in a week's time, and Nehru is now in Delhi for a few days.

53

Field Marshal Viscount Wavell to Sir F. Burrows (Bengal)

R/3/1/123: ff 168-70

No. 592/58.

NEW DELHI, 19 July 1946

My dear Burrows,

Many thanks for your letter of the 15th July¹ about your conversation with Nazimuddin. I am glad you told me the upshot of it. It is unfortunate that Nehru, when he gets in front of a crowd of any kind, is apt to get worked up and to make statements which I think he often regrets later.

2. By the time this reaches you you will have seen reports of the Debates in the two Houses of Parliament. I understand that HMG will make a statement of a kind that is likely to reassure Nazimuddin and the Muslim League. They will make it clear that they have undertaken to implement the results of a Constituent Assembly proceeding on the basis laid down in the Statement of 16th May, and not the results of a Constituent Assembly proceeding on any other basis.

3. The Muslim League are clearly very sore about the decision not to proceed with the Interim Government after the rejection by Congress of the scheme of the 16th June. Paragraph 8 of the Statement of the 16th June was put in deliberately to safeguard the Muslim League since Congress had stated in writing that they considered the two plans (the short-term one and the long-term one) to hang together and that they would either accept or reject both. When the Congress turned round and accepted the long-term scheme of May 16th while rejecting the proposals for the Interim Government in the Statement of June 16th we found ourselves compelled by paragraph 8 of the Statement of June

16th to make a fresh attempt to negotiate an agreement with both the major parties about an Interim Government. I do not think there can be two opinions about the meaning of paragraph 8 of the 16th June, and that it compelled us to consult both main parties in any fresh attempt when both had accepted the Statement of May 16th. Perhaps we ought to have put out more publicity in the first day or two since people got an entirely wrong idea of the situation and Jinnah concealed the fact that he had been told² (before ever his Working Committee met to consider the proposals of the 16th June) that in effect the offer was no longer open since the Congress had turned it down. It was only when the correspondence was published that it became clear to the public that Jinnah knew the position when he went to his Working Committee and got them to accept the scheme for the Interim Government.

I shall hope to have it out with Jinnah some time but with his known obstinacy I doubt if I shall convince him that his allegations were unjustified. I put in a great deal of hard work and had some acrimonious discussion at times in trying to get the best possible deal for the League; and it was very largely Jinnah's own fault that we did not succeed in getting an Interim Government on what would have been very good terms for the League. So I feel a little sore myself at the line Jinnah and the League have since taken.

Yours sincerely,

WAVELL

¹ No. 29

² Vol VII, No. 609

54

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/PO/10/23

PRIVATE AND SECRET

THE VICEROY'S HOUSE, NEW DELHI,

19 July 1946

The strike of postmen and inferior staff in post offices continues, but there seems to be a clear chance of its ending soon as most of the points are covered by the award of the adjudicator who was appointed some weeks ago to consider certain general issues affecting the relations between the Posts and Telegraphs Department and their staff. He was particularly directed to examine the case of those on what are known as the "new scales of pay" which were introduced after the slump of 1929-30. The adjudicator's award was accepted at an emergency meeting of Council last night (18th). The strike has not been general, and though there has been considerable inconvenience to the public in some localities, the distribution of mails has continued in most places.

2. This letter will probably go off before I see the full reports of the debates on India. I hope they will go well and am sure that what you propose to say¹ about adhering to the basis of the Constituent Assembly laid down in the Statement of May the 16th will have a good effect here.

3. I have sent you my proposals for restarting negotiations for an Interim Government, and am glad to hear that they will be considered very urgently. I am sure we should waste no time and should try to avoid lengthy negotiations if we can. Jinnah's suspicion and touchiness will however have been increased by some irresponsible talk by Nehru and the usual exaggerated propaganda in the Congress Press, so that he is likely to be in an even less tractable mood than he was when you went home.

4. Bhopal asked that his letter of the 14th July² should be repeated to you by telegram and this I did in my telegram No. 1453-S, of the 15th July. I think his fears are unnecessary at this stage since no one can compel the Princes to come into the Constituent Assembly, but there is no doubt that he and the Princes share the doubts about the intentions of Congress which have been expressed by Jinnah and the Muslim League. It is unfortunate that when Nehru gets in front of an audience he is apt to get worked up and make wild statements.

5. We have had correspondence about the protection of the Services,³ arising out of my conference with four Governors and the Home Member at Simla. None of us could agree to the setting up of general commissions of enquiry. To do so would be to acquiesce in the immediate disintegration of the Services in some Provinces and would be a complete breach of faith with the Services themselves. It may however be necessary to allow enquiries by suitable judicial authority in individual cases where Governors are satisfied that there is genuine evidence. Since in Bihar the Ministry have agreed to rejecting the demand for a commission of enquiry and accepting the substitute of individual investigation where necessary, it seems clear that there is no directive from the Congress High Command to insist on commissions of enquiry. Provided we are firm I think we have a chance of giving the Services adequate protection against victimization, but if there is any sign of hesitation pressure may be redoubled.

6. We had a most interesting discussion in Council on Wednesday about the Central and Provincial Five Year Development Plans. The Plans as they stand involve an expenditure of Rs. 1,300 crores in five years. The Finance Member pointed out that, although the money could probably be found, it was essential to ascertain whether the necessary material resources for a programme of this sort were available. If steel, coal, bricks, machinery, expert personnel, etc., were all in short supply, the only effect of trying to spend a very large sum would be to increase the charges for the resources available while not increasing the amount of work actually done on the ground. Waugh, the

Member for Industries and Supplies, reinforced this note of caution by saying that he feared that coal was not available in the country to increase the steel supplies or to make more bricks. He thought that unless the consumption of coal by transport and certain industries could be reduced and other sources of power substituted, e.g. oil or electricity, the whole programme would break down. We decided to make an estimate of resources and this will take probably a couple of months.

7. Thank you for your telegram No. 12849 of the 12th July about Palestine.⁴ I am glad you have received an assurance that the interests of India will be borne in mind and I am grateful for the promise that you will keep me informed of the progress of negotiations.

8. The A.I.C.C. session at Bombay is now rather ancient history. The Left Wing seems to have been defeated, but I think there are doubts whether Nehru's new Working Committee carries the guns of the old one. I should guess myself that we shall find it no better, but possibly no worse. I may be optimistic.

9. The antics of the Sikhs have had their comical side: I enclose one of Shankar's cartoons⁵ which has appeared in yesterday's *Hindustan Times*. There is a struggle going on between the new man, Narman Singh Gill of the I.N.A. who is essentially a political leader, and the old brigade of Tara Singh and Giani Kartar Singh who have a permanent following and tend to rely on religion and on the money bags of the *gurdwaras*. At the last minute the Sikhs, having accepted Nehru's advice to put in their nomination papers for the Constituent Assembly, changed their mind and withdrew the papers. Nehru's statement on the subject shows that he was not really aware of what was going on.⁶ The incident will do little good either to the Congress or to Nehru because the Congress can hardly maintain their national character if they allow Congress Sikhs to reject the Congress policy and adopt a purely communal policy in a matter of this importance. There seems now to be a movement for the Sikhs to change their minds again, make nominations, and ask for bye-elections!

10. Mudie unwisely prorogued the Sind Assembly immediately after the business of elections to the Constituent Assembly was done. Otherwise it seems probable that his Ministry would have been defeated. The same problem arises in the Punjab, and Jenkins quite rightly wants to leave the matter to the Speaker. (I have just heard that the Government and Opposition have agreed on no

¹ See No. 42. ² No. 27. ³ See Nos. 23, 30, 37 and 46.

⁴ See L/P&S/12/3356: f 91. The assurance mentioned in this para. was given in response to Lord Wavell's tel. 1265-S of 11 June in which he drew attention to Press reports saying that decisions by H.M.G. on the Anglo-American report on Palestine were beginning to take shape. Lord Wavell hoped that the views of India would be taken before decisions were made. *Ibid.*: f 165.

⁵ Not included in L/PO/10/23.

⁶ See No. 47, note 1.

further business coming before the Session, but the Opposition will try to defeat the adjournment motion.) These sessions of the Legislature are ordinary sessions, and there is nothing to stop business other than that of elections being transacted if the House wishes to do so. The difficulty is that the action of Mudie and the inaction of Jenkins will be presumed to be both dictated by me, and as the Muslim League stands to gain in each case (since in Sind there is a Muslim League Ministry and in the Punjab the Opposition is mainly the Muslim League) there will be allegations against me of partiality, which may possibly affect the negotiations for an Interim Government. I have therefore told Mudie that it will be necessary for him to summon his Legislature again at an early date and have asked him how soon he can do it.

11. I am sorry you have insisted on Sudhir Ghosh being given a priority passage.⁷ I feel strongly about it and have given you my reasons. I am sure that these "private lines" are wrong in principle, and I do not think they are of great value in practice.

⁷ In tel. 13106 of 17 July Lord Pethick-Lawrence instructed Lord Wavell to grant a priority air passage to Mr Ghosh to allow him to visit Britain as a representative of Tata's. Lord Pethick-Lawrence said H.M.G. considered Mr Ghosh's visit 'would be politically helpful in view of the part which he played in connection with the Cabinet Mission's work'.

In tel. 1487-S of 18 July Lord Wavell stated that, while he would arrange the priority passage, such an arrangement was 'contrary to my advice and wishes'. He felt it was unfair both to himself and other parties that 'this private emissary of Gandhi and Congress should be given special facilities as "politically helpful"'. The fact that the Viceroy was known to have been over-ruled on this matter would weaken his authority. Lord Wavell felt he must inform Mr Jinnah privately of the decision 'since his present suspicions will be increased if he hears of it indirectly'. L/P&J/10/72. ff 39, 33.

55

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

L/PO/10/23

PRIVATE AND SECRET

INDIA OFFICE, 19 July 1946

Received: 25 July

Many thanks for your letter of the 8th July¹ which only reached me on the 17th, no doubt because it was written at Simla. I am glad that you were able to have some respite there after our hectic days in Delhi, though I have no doubt that you have had formidable arrears of work to dispose of.

2. We had fondly hoped that we should get a little respite ourselves on our return home, but we have had no such luck. I managed to get two days in the country but since then I have been back at work at full pressure, and see no prospect of getting away until late in August.

3. This will I fear, be a brief letter, as we have just been having our Debates in both Houses. I was so glad to get a telegram² from you approving of what we were going to say about the working of the Constituent Assembly and I hope that the Debates as a whole will not have provided you with any serious embarrassment.

4. We have, of course, been very busy also with discussions lately about your next step towards the formation of an Interim Government. It was a great relief to find that our minds and yours had been working on much the same lines, and that the only points we have had to put to you relate principally to tactics.³ It is a great nuisance that we have to discuss these matters over the telegraph wire now, and we greatly miss the opportunity of discussions round the table with you. In this connection I ought perhaps to explain that when I refer in telegrams to having had discussions with "my colleagues" the phrase is not by any means restricted to my colleagues on the Cabinet Mission; in fact the Prime Minister has taken an active part in all our discussions and when necessary a report is made to the Cabinet for their covering approval of the lines on which we are proceeding.

5. We are grateful for Menon's telegrams to Turnbull about the progress of elections to the Constituent Assembly,⁴ which you mention in paragraph 5; so far the results seem to be on the lines which one would expect.

6. You mention in paragraph 6 India's relations with South Africa. The reference of the dispute to the General Assembly of the United Nations, as you say, is a rather empty gesture, but on the other hand it is likely to be rather embarrassing to the British Commonwealth as a whole and naturally we should have preferred to avoid this washing of family linen; but we did not feel here that there was any point in trying to intervene or if we did intervene that there was any likelihood of your government being over-persuaded. I need hardly say that I entirely agree with the line that you took with Gandhi about the Passive Resistance Movement.

7. I am most interested by what you say in paragraph 8 of your letter about your discussions with the three Governors, particularly in view of our telegraphic discussion about protection of the Services. I am sorry that my colleagues and I were not able to go the whole way with you on this issue, but I hope that your views and ours may be able to be brought into working agreement on it; it is particularly in matters of this kind that we miss our discussions round the table, and I am sorry we did not have the opportunity of disposing of this matter while we were still in India; I suppose the reason really was that during the

¹ No. 11. ² See No. 41, note 2. ³ See No. 49.

⁴ These telegrams are on L/P&J/10/62.

political discussions neither Congress nor ourselves were anxious to ventilate delicate questions of this kind which might have done much to disturb the political equilibrium we were endeavouring to secure.*

8. I have passed on the message in your paragraph 9 to Henderson who much appreciates it; I am afraid he had a hard time of it while I was away but he seems none the worse for it, and will have gained much useful experience.

* I am glad to see from telegrams Nos. 1489-S and 1490-S⁵ which have come in since this paragraph was dictated that provincial ministries are likely to be reasonable, particularly as this no doubt represents the views of Congress Headquarters.

⁵ In these telegrams Lord Wavell informed Lord Pethick-Lawrence of developments in the United Provinces and Bihar on the subject of enquiries into the Services. In the U.P. the Premier had secured the postponement of a resolution and questions in the Legislature. In Bihar the Ministry had opposed a resolution demanding the appointment of an enquiry commission and accepted an amendment providing for the appointment of judicial tribunals to enquire into specific cases. L/S&G/7/904: ff 108-9.

56

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/PEJ/10/73: f 213

IMMEDIATE
CONFIDENTIAL

NEW DELHI, 20 July 1946, 1.15 pm
Received: 20 July, 10.30 am

No. 1507-S. I have asked I[nformation] and A[rts] Department to send you a summary of press reactions to the debate. Congress seem fairly friendly and claim that Jinnah's demand for representation of Moslems by League only has been rejected. League welcome re-assurance about necessity of adhering to procedure laid down in statement of May 16th, but are otherwise critical and repeat allegations of bad faith in regard to paragraph 8 of [Statement of] June 16th.

2. On the whole, I should say that effect has been good.

57

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/132: ff 129-30

IMMEDIATE
CONFIDENTIAL

NEW DELHI, 20 July 1946, 6 pm
Received: 20 July, 8.30 pm

No. 1516-S. My 1505 of yesterday.¹ Sikhs. I asked the Punjab Governor to let me know by yesterday evening if he disagreed with line I proposed to take. In absence of report I assumed he agreed. I have now received telephone message repeated in paragraph 3 below.

2. In light of this I recommend that Punjab Governor should be authorized to invite the Sikh members of the Punjab Assembly to meet as early as possible to elect four representatives for the purposes of paragraph 19 of the Statement. I propose that instructions to Governor should be expressed as instructions from Members of the Cabinet Delegation and myself, since this is in effect an amendment of Statement of May 16th. Grateful for very early reply.

3. Governor's telephone message is as follows. *Begins:* From the Punjab point of view it is very important to the League to get the Sikhs off the boil. I am therefore strongly in favour of offering them a bye-election now provided it does not involve another Assembly session. The Punjab Muslim League will raise no strong objection. Mamdot told me on Thursday that he was in favour of safeguards for the Sikhs in Section B and that a League-Sikh rapprochement was the only solution here.

- (2) Apart from the Sikhs there will only be casual vacancies. These vacancies will inevitably go to the League if Muslim, or to the Congress if General, except possibly in the NWFP.
- (3) I do not think it will pay us to be too legalistic about the Sikhs. My belief (which I have felt from the first) is that both Congress and the League are prepared to treat them sympathetically. This is I am sure correct: and there is no reason why HMG, merely to preserve the principle, should be less forthcoming than both major parties. I still think that the Sikhs may be the focal point for all-India. All reports show that the Sikh masses are greatly excited and we must give the leaders a chance of detente if we possibly can. *Ends.*

¹ No. 51.

58

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&J/10/63: ff 87-8

IMMEDIATE

INDIA OFFICE, 20 July 1946, 3.30 pm

SECRET

No. 13379. Your telegrams Nos. 1505-S¹ and 1506-S.²

2. Election of representatives of a whole community simultaneously does not of course raise complications which arise under proportional representation in filling a single vacancy within a community. It might perhaps be feasible for Governor to issue instruction modifying electoral rules for Constituent Assembly to enable Sikh election to be held after date fixed. He would of course have to satisfy himself before doing so that Sikhs as a whole now wish to participate in election and that no opposition would be forthcoming from leaders of other parties in the Punjab Legislature. With this in view it would be desirable for you to sound Nehru and Jinnah in advance and secure their agreement to course proposed.

3. Disadvantage of waiting till procedural meeting of Constituent Assembly is that Sikhs would not be present at time when they might wish to raise their request for communal voting rights in group B and when minority Advisory Committee will be chosen.

4. It is very important to get Sikhs in and I should prefer above course if possible. It does not involve modification of Statement of May 16th but might be regarded as a modification of electoral rules. I agree that question of individual bye-elections must be settled by Constituent Assembly and if objection to what I propose were raised either by Muslim League or Congress matter would have to be left to Constituent Assembly's decision.³

¹ No 51. ² A repetition of No. 47.

³ This telegram crossed No 57 and in a further telegram (13423 of 21 July) Lord Pethick-Lawrence noted this, saying that he and Lord Wavell were in substantial agreement. However, it was not felt in London that any modification of the Statement of 16 May was really involved. Instead they considered that 'necessary step can be taken as administrative action and we leave you and Governor to carry on accordingly'.

In tel. 1540-S of 24 July Mr Abell asked Mr Turnbull whether this later telegram meant that Lord Pethick-Lawrence no longer wished Lord Wavell to sound Pandit Nehru and Mr Jinnah on the proposed course of action. In tel. 13751 of 25 July Mr Turnbull replied that Lord Pethick-Lawrence did not mean this and went on to explain the importance which the Secretary of State attached to consultation with them. L/P&J/10/63 and R/3/1/132.

59

Mr Rajagopalachariar to Lord Pethick-Lawrence

L/PO/6/115: f 11

60 BAZLULLAH ROAD, TYAGARAYANAGAR,
MADRAS, 20 July 1946

My dear Lord Pethick-Lawrence,

I hope you have grown strong again in your native air and surroundings and have forgotten or at least forgiven all the trouble we gave you. It was a pleasure unalloyed to read the reports of the speeches made by you, Sir Stafford and my vigorous friend Mr Alexander. It is all very widely and warmly appreciated here.

The 'opting out' problem remains still unsolved and much as I dislike it, [it] may prove a rock on which our ship may be wrecked. On the one hand, if the representatives of contiguous areas do not agree to sit together the whole scheme is shattered at the very outset. On the other hand, there is no justice in an arrangement by which Punjab (or Bengal) forces a constitution and a scheme of franchise on NWF (or Assam) by the strength of its larger numbers in the section-meeting and in furtherance of its own plan. Can you, to meet this, formulate by interpretation, or otherwise a rule on the following lines?

The constitution of a province as framed by the section to which it belongs A, B or C, shall be placed before the whole Constitution-making body for acceptance before it becomes law. In particular, the provisions as to franchise and elections to the legislature of the province shall, if not left to be framed by the representatives of that province, be subject to ratification by the whole constitution-making body.

This will re-inforce the power of the province to choose its own line which is inherent and essential, and remove the fear that is perhaps unreasonable but genuinely entertained in respect of the provisions about initial 'compulsory' grouping according to geographical alignment.

With kind regards always,
Yours affectionately,

C. RAJAGOPALACHARIAR

60

*Lord Pethick-Lawrence to Mr Attlee**L/P&J/10/73: f 211*

INDIA OFFICE, 20 July 1946

Secretary of State's Minute: Serial No. 36/46

Prime Minister.

Formation of Interim Government

May we discuss the Viceroy's telegram No. 1504-S¹ with the President and the First Lord after Cabinet tomorrow morning?

The First Lord feels that as the Viceroy will have to handle this and as our telegram 13267² was in the form of suggestions to him, he might now be allowed to adopt the tactics he himself prefers.

I feel myself that it would be difficult to impose on the Viceroy a method from which he strongly dissents.

I think that the Cabinet's decision on Thursday³ enables us to take what decision we think fit on this matter. But if you consider it necessary to mention it to the Cabinet tomorrow morning they would no doubt empower you to dispose of it at your discretion.⁴

PETHICK-LAWRENCE

¹ No. 52. ² No. 49. ³ No. 45.⁴ Mr Attlee simply noted on this minute 'Yes'. (Information supplied by the Prime Minister's Private Office.)

61

*Field Marshal Viscount Wavell to the Nawab of Bhopal**R/3/1/112: f 26*

20/21 July 1946

My dear Nawab Sahib,

I communicated by cable to the Secy. of State Your Highness' letter of the 14th July.¹

2. I appreciate that recent public pronouncements by leaders of political parties in British India may well have caused apprehension to the States. Any such apprehension will I trust have been allayed by what the Secy. of State said in the House of Lords during the recent debate.² According to Press reports his speech included the following paragraph:

"As to the States, they need have no anxiety since it is for them to decide

freely to come in or not, as they choose. It is for that purpose that they have set up a negotiating committee, and I am sure that that committee will have the wisdom to work out an acceptable basis for their cooperation in the Assembly."

Yours sincerely,

WAVELL

¹ No. 27.

² See *Parl. Debs.*, 5th ser., H. of L., vol. 142, 18 July 1946, col. 584, also Appendix I to No. 317.

62

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&J/10/73. f. 204-6

MOST IMMEDIATE

INDIA OFFICE, 21 July 1946, 4.30 pm

TOP SECRET

Received: 21 July, 10.50 pm

No. 13422. Interim Government. Your telegram 1504-S.¹ My colleagues and I defer to your views and agree to letter in form given in your 1467-S² subject to the following points.

2. We feel sure that you will make it perfectly clear as indeed you suggest in para. 2 of your 1467-S that the basis of the proposed Interim Government is provisional.

3. Our objection to para. 6 of your 1467-S is that you may well have to discuss further basic composition in 3 (a) before Government is formed and that if our past experience is any guide Jinnah will very likely charge you with going back on the basis on which he has accepted. We suggest therefore that you omit it from your original letter. If you are asked for such an assurance we suggest you say that once the Interim Government is formed and is in actual operation you would consult both parties before making any change in it which would vary the number of seats allotted to the two main parties and the minority representatives.

4. We also consider that one of three minority seats should be kept vacant for a Sikh since Sikhs are at present disqualified as non-acceptors of statement of May 16th.

5. As to second sub-paragraph of para. 2 of your 1504-S we leave this to your discretion.

63

Field Marshal Viscount Wavell to Pandit Nehru and Mr Jinnah -

R/3/1/116: ff 61-3

PERSONAL AND CONFIDENTIAL

22 July 1946

My dear Pandit Nehru/Mr Jinnah,

I declared my intention of replacing the present caretaker Government of officials by an Interim Coalition Government as soon as possible; and am now putting to you as President of the Congress Muslim League and to the President of the Muslim League Congress the proposals set out below.

2. I think you will probably agree with me that our negotiations both this summer and last year were hampered by the attendant publicity. I am therefore seeking your co-operation in conducting at any rate the preliminary stages of the negotiations on a strictly personal and secret basis between myself and the two Presidents. I very much hope that you will prevent this correspondence being known to or discussed in the Press until we have seen whether we can find some basis of agreement. I realise of course that you will have at some stage to secure the approval of your Working Committee; but I believe it will be best to try and reach some basis of agreement between ourselves as a first step. I propose the following for your consideration:—

- (a) The Interim Govt. *will*¹ consist of 14 members;
- (b) Six members (to include one Scheduled Caste representative) *will* be nominated by the Congress;
Five members *will* be nominated by the Muslim League.
Three representatives of Minorities *will* be nominated by the Viceroy.
One of these places will be kept for a Sikh.

It *will* not be open to either Congress or the Muslim League to object to the names submitted by the other Party, provided they are accepted by the Viceroy.

(c) Distribution of portfolios *will* be decided after the Parties *have* agreed to enter the Government and *have* submitted their names. The Congress and the Muslim League *will* each have an equitable share of the most important portfolios.

(d) The assurances about the status of the Interim Government which I gave in my letter dated 30th May² to Maulana Azad will stand.

3. I would welcome a convention, if freely offered by the Congress, that major communal issues can only be decided by the assent of both the major

Parties, but I have never thought that it was essential to make this a formal condition since in fact a Coalition Government could work on no other basis.

4. I sincerely trust that your Party will agree to co-operate in the administration of India on the above basis, while the work of constitution-making proceeds. I am confident that this will be of the greatest possible benefit to India. I suggest that we should not spend further time in negotiation; but should try out at once a Government on the basis proposed above. If it does not work, and you find the conditions unsatisfactory, it will be open to you to withdraw, but I am confident that you will not.

5. Would you be good enough to let me know very soon whether the Congress Muslim League will enter in the Interim Government on this basis? I have written in similar terms to Mr. Jinnah Pandit Nehru and enclose a copy of my letter to him.¹

Yours sincerely,
WAVELL

P S.⁴ I am seeing Pandit Nehru this afternoon on other matters and will hand him his letter then.

¹ Words in italics were underlined in the file copy (reprinted here) apparently indicating amendments to the draft in No. 36. ² Vol. VII, No. 409.

³ In tel 1529-S of 22 July Lord Wavell informed Lord Pethick-Lawrence of the text of this letter except for the postscript R/3/1/116 f 58

⁴ The postscript was sent to Mr Jinnah only.

64

Mr Attlee to Field Marshal Viscount Wavell¹

L/PO/6/115: ff 13-15

10 DOWNING STREET, 22 July 1946

My dear Viceroy,

I have now had time to discuss with my three colleagues of the Delegation the proceedings of the last three months. They have told me of the patience and skill which you have shown in these very difficult negotiations. I should like to tell you how fully I appreciate the heavy burden which you are carrying. I do not think that any Viceroy has had such a critical situation to face. I should

¹ Papers in the Prime Minister's Private Office indicate that Mr Alexander, Sir S. Cripps and Lord Pethick-Lawrence were shown the draft of this letter but did not suggest any amendments to it. R/30/1/8a.

like to assure you that we here will do all we can to assist you. I am sure that it must have been a disappointment to you to have come so near to complete success, but one needs infinite patience in dealing with Indians.

I understand something of the difficulties owing to my experience on the Indian Statutory Commission and the discussions which followed it.

One of the great difficulties I found was to appreciate the Indian mind which is so apt to ignore the substance for the shadow. The progress of the Dominions was always effected not by alterations of the constitution but by the method of working existing institutions. This the Indians, especially the lawyers, find it hard to realise.

I was always struck by the fact that our Indian friends though politically minded and fully acquainted with the theory of democratic government had little or no understanding of its actual working. I remember so well a quite learned Indian lawyer who collaborated with us on our Commission surprising me one day after he had been with us a long time by a statement which showed quite clearly that his conception of a Cabinet meeting was a continual process of voting by show of hands. He was quite surprised when I told him that a vote in Cabinet was a singularly rare event. The insistence on the balancing of Parties in the Government by Indian politicians shows that this ignorance of the actual working of the Cabinet system persists.

I was equally impressed by the fact that our admirable civil service of that time was almost equally devoid of practical experience of the working of democratic institutions, quite naturally, because they had no practical experience at home and had been working a machine of Government which was framed on entirely different principles. I remember in particular their entire misunderstanding of the reason why local government worked in England.

In fact when I was in India the only people who understood the Parliamentary system to which India was then moving were the Viceroy and the three Presidency Governors who had all been members of the House of Commons.

It has often occurred to me that you must find a great lack of the kind of experience on which it is necessary to draw in political matters as apart from Colville I doubt if there is anyone in the Government of India at present with the requisite expertise in political matters. Politics has its own technique which can only be acquired by practice and not from text books. I have felt that we have perhaps put you in an unfair position in not having provided you with someone of experience in these things. You as a soldier without political advisers must be somewhat in the same position as a Prime Minister would be without the advice of the Chiefs of Staff on military matters.

In the difficult months ahead it seems to me that your hand would be strengthened if you had with you someone well versed in these things who could act as an intermediary for you with the politicians. We here know how much of the smooth working of our political system is due to the unofficial

communications between Government and Opposition without which the machinery of Government would not function. I wonder therefore whether it would not be advantageous if you were to attach to yourself during the anxious months ahead someone with practical experience of political matters. He might be someone from home or perhaps someone who has a good knowledge of the working of Government at home and also of Indians. The name occurs to me of Sir Maurice Gwyer who is quite exceptionally well qualified on both counts.

I should like to have your views on this suggestion which is the result of nearly twenty years fairly close connection with the Indian problem. I know that my colleagues on the Indian Statutory Commission drawn from all political Parties were struck by the same fact that in India we were trying to introduce Anglo-Saxon democracy through the medium of men whose whole practical experience had been confined to working a system which was a combination of the Mogul and Continental systems of Government with an Anglo-Saxon facade. We have to give you the tools if you are to finish the job.

Yours sincerely,

C. R. ATTLEE

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Sir H. Dow (Bihar) to Field Marshal Viscount Wavell (Extract)

L/P&J/5/181: f 99

D O NO. 203-G.B.

22 July 1946

2. The debate in the Assembly on the demand for an enquiry into official "atrocities" during 1942 has come to a fairly satisfactory conclusion. I showed Your Excellency in Simla the draft of a letter which I intended to send to my Prime Minister on my return: this letter was duly sent so as to reach him before the adjourned debate came on, and a copy of it is appended to this letter.¹ I don't know how far that letter was responsible for the result, but probably the P.M. was already rather frightened at the difficulties in which he had landed himself, and my letter did no more than push him over the edge. It can hardly have been otherwise than by design that the mover of this resolution was absent when the time came for either withdrawing it or putting it to the vote. The device adopted was to move and carry an amendment, and then to adopt

¹ Not printed. In his letter of 22 July 1946 to Mr Sri Krishna Sinha, Sir H. Dow wrote that he had watched with growing perturbation the course of a Legislative Assembly debate on a resolution recommending the establishment of a Commission to enquire into the conduct of officials during and after the 1942 disturbances. Sir H. Dow noted that as the debate proceeded the language used had become more and more intemperate and the attacks on officials more and more unfair. He felt that if some member of government had intervened earlier the resolution would have been withdrawn and he asked Mr Sinha to do this now. *L/P&J/5/181: f 103*.

it as a substantive resolution in place of the original resolution. The amended resolution reads as follows:—

“This Assembly recommends to Government to take suitable steps to enquire into the excesses and atrocities committed by Government servants in utter disregard of law during the political upheaval of 1942, and to take such action against the offenders as may be deemed appropriate on the basis of the enquiry.”

The Premier left himself a further safeguard by saying that members of Government would keep neutral, while members of his party would be free to vote as they liked, and the resolution was declared carried without apparently (for as yet I have only seen press accounts) being pressed to a division.

3. The Prime Minister's own speech on this occasion was a remarkable effort which I must allow to speak for itself. A copy of it is appended to this letter.² He clearly did not want to give too cold a douche to the hopes which he had raised in his own party and at the same time realised it was necessary to allay the apprehensions which his own equivocal attitude had roused in the public services. I anticipate that he will now go pretty slowly in taking the “suitable steps” demanded by the resolution, and that very few people will come forward to substantiate the wild statements that were made in the privileged atmosphere of the Assembly Chamber. Extremist opinion, as voiced in the local press, has the same anticipations, and there has been a certain amount of “snarling with disappointed rage”.

² Not printed.

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Maulana Azad to Sir S. Cripps

L/PO/6/115: f 1

19A, BALLYGUNGE CIRCULAR ROAD, CALCUTTA, 22 July 1946

My dear Sir Stafford,

It was a pleasure to receive your letter of July 8.¹ I was moved by its cordial tone and must thank you for your kind references to me. We all appreciated the courtesy, tact and resourcefulness which you exhibited during the negotiations and I hope that you will continue to take the same interest in our future relations.

You have referred to the parts I have played during these negotiations. I may tell you frankly that my attitude was throughout governed by two considerations. I regard the advent of the Labour Party to power an event of historic importance. For the first time in history, there is the prospect of a

peaceful transition to a Socialist order. I also feel that the Labour Government have on the whole been following a policy of democracy and freedom, and working for peace and stability in the modern world. It therefore deserves a trial and should not be unnecessarily embarrassed. I therefore felt it my duty to do everything possible to help it towards a peaceful settlement of the Indian problem.

The second consideration that weighed with me was the possibility of such a settlement. At one time, it seemed inconceivable that Britain would part with power without a struggle, but when after the advent of the Labour Government, a way seemed to open for such a settlement, I felt it my duty to work for that consummation.

Of the two aspects of the Cabinet Mission's task in respect of the long-term proposals and the formation of the Interim Government, I persuaded the Congress to accept the former as it seemed to me to open a way out of our present difficulties. I must however tell you that the manner in which the negotiations for the Interim settlement were carried out caused both surprise and indignation. The claim of the League for Hindu-Moslem parity could be understood if not defended. The opposition of the Congress to any such proposal was equally natural, and yet, keeping in mind the present communal tension and the necessity for allaying the apprehensions of the Moslems about the permanent Hindu majority, I persuaded the Congress to rise to great height and concede the demands of the League. You know that both in the Simla Conference in 1945 and during the negotiations this year, I maintained the attitude that Congress must go to the furthest possible limit in removing the apprehensions of the minorities.

This spirit of compromise and concession of the Congress did not satisfy the League, and the Viceroy seemed to support the attitude of the League. When the Congress made the proposal that in order to maintain its national character, it would allot a seat to a Nationalist Moslem out of its own quota, the spirit of sacrifice exhibited by the Hindu Congressmen was not appreciated and honoured, but on the contrary all kinds of objections were raised. From the Communal point of view, this could mean a larger number of Moslems than Hindus in the Cabinet. The League which had asked for parity was getting more than it had dared to hope and had no justification for any grouse. Its objections were there without any foundation, and it is strange that the Viceroy supported the groundless objections of the League. What however surprised and grieved me most was that even you could not appreciate the Congress stand and opposed the inclusion of a Moslem in the Congress quota. I do not

¹ In this letter Sir S. Cripps thanked Maulana Azad for his help and friendship during the Cabinet Mission and the 'really marvellous way in which you "stuck to your guns".' Sir S. Cripps was 'absolutely convinced' that but for Maulana Azad 'no arrangement would have been come to.' Public Record Office. CAB. 127/119.

want to press the point, but must make it clear that there can be no prospect of success in the future unless this attitude is changed.

I will conclude by urging the importance of forming the Interim Government immediately. The delay in setting it up has already created complications, and new problems will be created almost every day. The Constituent Assembly will be lifeless and barren if its deliberations are not guided by a Provisional National Government. Elements within the Congress are also growing restive. The atmosphere of goodwill created by the Mission is being disturbed. If the Interim Government is not set up quickly, the situation may so deteriorate as to destroy the possibility of a peaceful settlement.

I am glad to hear that there may soon be occasion for meeting you again. This is a pleasing prospect and the sooner it happens, the better. In any case, I am looking forward to the day when you will come to join us in the celebrations that will mark the achievement of Indian independence.

With kind wishes and greetings,

Yours sincerely,

A. K. AZAD

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Note by Field Marshal Viscount Wavell

Wavell Papers. Notes of Important Interviews, 1943-7, pp. 189-90

TOP SECRET

HIS EXCELLENCY'S INTERVIEW WITH PANDIT JAWAHARLAL NEHRU
ON 22ND JULY 1946

1. I spoke first of all about the Sikhs and said that I recognised the importance of their filling their four seats for the Constituent Assembly if possible. I was considering what could be done about it, but I had up to the present received no request from the Sikhs for a fresh opportunity to elect representatives, and found some difficulty in taking any action without a request. I asked Nehru whether he had any suggestions about the procedure. He said that the Sikhs had been stupid about it; and that he himself had also acted foolishly in leaving it to their good sense, instead of giving them direct instructions what to do. He agreed with the importance of getting Sikhs elected if possible. I said I was examining what could be done.

2. I then spoke about his visit to Kashmir and hoped that he would not cause any trouble at this critical time. He said that he had no intention of causing trouble, but that he felt it would be difficult to prevent crowds gathering to see him. I said that I hoped that the presence of crowds, if they did gather,

would not excite him as they usually appeared to do. He said that it was never the crowds that excited him, but the lack of commonsense in other people. I told him that I had obligations towards the Kashmir Government, and very much hoped that he would be very careful to create no incident.

I think he genuinely does not intend to cause trouble of any kind, but his tendency to go off the deep end must make his visit an anxiety. I hope that the State authorities will act with all circumspection.

3. I then went on to the question of the Services and the demand for a general enquiry in the United Provinces, Bihar, and Central Provinces, into the 1942 disturbances. Nehru was very reasonable about this, said that he did not wish any general enquiry, and that his advice was against it. Public feeling was, however, strong, especially against certain individuals: would it not be possible to retire these individuals? I said that if he would advise Premiers against any general enquiry, Governors would be prepared to discuss with them individual cases where there was well substantiated evidence that the bounds of duty had been exceeded in any way. Nehru was very quiet and sensible about this, and I hope that he may succeed in preventing any general enquiries.¹

4. I mentioned to him that Khizar had been invited to attend the Peace Conference as a representative of India, and he merely remarked that he would be a picturesque addition. He said that he had no feeling about whether Jayakar went one way or the other.

5. He then spoke about the prorogation of the Sind Assembly by the Governor, which he described as most extraordinary and unfortunate, especially since the Opposition wished to discuss a motion about Sind's participation in Group "B" in the Constituent Assembly. I told him that the Governor was considering calling a further meeting of the Assembly at an early date, but that I rather doubted whether the Sind Assembly was the right place to discuss the grouping question, which was a matter for the Constituent Assembly.

6. He then asked how the summonses to the Constituent Assembly would be issued. I said that I presumed that I should issue them. He thought that they should be issued through Speakers of the Assemblies. I rather suspect this may be a move towards strengthening the claim of the Constituent Assembly to be a sovereign body elected by the representatives of the people, with which the Viceroy has therefore nothing whatever to do; and it may be in this way an attempt to get away from the authority of the Declaration of May 16th. I should like advice on this.

7. He then spoke about the secretariat to the Constituent Assembly, and

¹ Lord Wavell sent Lord Pethick-Lawrence the text of this para of his note in tel. 1538-S of 23 July. L/S&C/7/904: f 100.

asked what arrangements were being made. He indicated that he was apprehensive that the procedure of the Constituent Assembly might be too much crystallised before the Assembly ever met. I told him that we were arranging a secretariat, but there was no intention to lay down any detailed procedure. I suspect that this again is a move towards getting away from the Groups, since he specially mentioned that it seemed premature to arrange a secretariat for the Groups.

8. He then mentioned that the Europeans in the United Provinces had voted, apparently in order to secure the election of Sir J. P. Srivastava; and indicated that legal action might be taken to object to the European votes.

9. He finally mentioned the recent appointment of a High Court judge at Allahabad, I think the name was Munsur Ali,² who he said was completely unfitted for the appointment, and that his selection had caused much feeling. I said that I supposed I must have approved the appointment, but that I did not know any of the particulars, and presumed that the appointment was made on the recommendation of the Chief Justice. He agreed that this was so, but implied that the selection was an act of gross favouritism.

10. This ended the interview which lasted about 40 minutes. Nehru's attitude was very friendly throughout. At the end I gave him the letter³ about the formation of an Interim Government, which he took away with him unopened.

W.—22-7-46

² Identity not established.

³ No 63.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/PCJ/10/73: ff 200-2

IMPORTANT

INDIA OFFICE, 23 July 1946, 12.15 am

No. 13485. Following is text of letter Prime Minister has received from Jinnah dated 6th July.¹ I am considering draft of a reply which I propose should be sent through you under flying seal.

Begins.

Dear Mr. Attlee,

It is not without deep regret that I have to say that the Cabinet Delegation and the Viceroy have, by handling the negotiations in the manner in which they did, impaired the honour of the British Government and have shaken the confidence of Muslim India and shattered their hopes for an honourable and peaceful settlement. They allowed themselves to play in the hands of the Congress, who all along held out the threat of non-cooperation and civil dis-

obedience, if they were not satisfied; and virtually, from the very beginning, adopted an aggressive and dictatorial attitude, pistol in their hand. They are determined to seize power and try to establish Caste-Hindu domination over Muslim India and the other communities inhabiting this vast sub-Continent. I hope when you go through all the relevant correspondence and hear the Mission, you will come to the same conclusion as I have indicated above. I think you will agree with me that it is not only an obsession but has become a disease with the Congress, and it is an impossibility. Even now, having wrecked the formation of the Interim Government as proposed by the Cabinet Delegation and the Viceroy in their final Statement of 16th June, they have accepted the long-term plan, not in the spirit of cooperation and to construct but to wreck it. This will be clear to you from the reservations and interpretations that they have put upon the long-term plan and which are contrary to those embodied in the Statement of the Cabinet Delegation and the Viceroy dated 16th May and their further Statement of May 25th (particularly grouping of provinces).

I therefore trust that the British Government will still avoid compelling the Muslims to shed their blood, for, your surrender to the Congress at the sacrifice of the Muslims can only result in that direction. If power politics are going to be the deciding factor, in total disregard for fair play and justice, we shall have no other course open to us except to forge our sanctions to meet the situation which, in that case, is bound to arise. Its consequences, I need not say, will be most disastrous and a peaceful settlement will then become impossible.

I am writing this letter to you in confidence and to one whom I have known for a long time. Today you happen to be at the helm of the British nation as the Prime Minister and, I hope, you will give your most earnest and careful consideration to what I have urged not without painfulness, which is apparent from my letter and that you will maintain the honour of the British nation for fairplay.

I am enclosing herewith for your information and consideration my two Statements that I have issued, in case you may not have come across them; and also two editorials from the only British paper now left in India.²

I am sending a similar letter to Mr. Churchill, the Leader of the Opposition.

This letter is strictly private, personal and confidential.

Hoping you are well and with kind regards,

Yours sincerely,

M. A. JINNAH. *Ends.*

¹ The Prime Minister's Private Secretary sent Mr Jinnah's letter to Mr Clauson informing him that Mr Attlee had minuted: 'Ask the S. of S. India for draft reply'. Mr Attlee's reply as sent (No. 70) followed the India Office draft without alteration. L/P&J/10/73: ff 198, 192-3.

² Enclosures not on file. The statements were probably those of 27 June (Vol. VII, No. 627) and 29 June. The latter contained Mr Jinnah's correspondence with Lord Wavell on the Interim Govt negotiations and their failure (Vol. VII, Nos. 473, 478, 538, 610, 615, 624, 632, 634). The editorials were presumably from the *Statesman*.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/PO/10/23

PRIVATE AND SECRET THE VICEROY'S HOUSE, NEW DELHI, 23 July 1946

I telegraphed to you about Press reactions to the Parliamentary debate.¹ On the whole they were reasonably good, and certainly one's fears that the debate might be a serious embarrassment were proved to be unfounded.

2. I had a talk with Nehru on Monday evening.² We covered a number of subjects, and he was friendly and reasonable throughout. At the end of the interview I gave him the letter³ about the formation of the Interim Government which he took away with him unopened. Earlier in the day I had telegraphed the text to the Governor of Bombay for communication to Jinnah. Before this letter reaches you, you will probably have heard by telegram of the first reactions. I am not very sanguine.

3. Nehru insists on going to Kashmir this week, but I reminded him that I had obligations towards the Kashmir Government and hoped he would be careful to create no incidents. He said he had no intention of causing trouble. I have suggested through the Political Department that the State authorities should act with all circumspection, and I think it is possible that the visit may go off without serious trouble, though one can certainly not eliminate the possibility of a very difficult situation arising. Nehru has not got a strong head for crowds.

4. My main object was to discuss with Nehru the protection of the Services. I did not press him for a complete agreement to drop the whole question, but I said there could be no question of a general enquiry. He was reasonable and said he did not want any general enquiry. He said, however, that public opinion was strong against certain individuals, and asked whether it would not be possible for those individuals to retire. I said that if he would advise Premiers against pressing for any general enquiry, Governors would be prepared to discuss with them individual cases where there was well substantiated evidence.

Wylie was having a Cabinet meeting on the subject on Monday night and I have not yet heard the results.

5. I still think it would be a good thing to consult the Ministries on the question whether they want to retain members of the Secretary of State's Services, and shall be interested to hear the reasons why the recommendations were turned down. Burrows wrote to me advising against it, and Caroe pointed out the need of members of the Services for the Tribal areas but none of the

other Governors, to whom I sent a copy of my telegram to you, have made any objection.

6. My most immediate preoccupation at the moment is with the strikes in the Posts and Telegraphs Department. The All-India Postmen, Lower Grade Staff and R.M.S. Union is still on strike in certain centres including Bombay and Calcutta, although Government has accepted the award of the adjudicator, which covered most of the points that can be decided before the Pay Commission reports. The All-India Federation of Posts and Telegraphs Unions, which previously agreed to adjudication on certain points, has now indicated that it cannot accept the award of the Adjudicator (a much respected High Court Judge named Rajadhyaksha, of Bombay). The Federation makes demands which would cost double as much as the Adjudicator has awarded. The total demands of the Union and the Federation are beyond the capacity of the country to pay—they would cost about twelve crores of rupees and even then not cover the whole of the employees. For every crore that we have to spend in the Posts and Telegraphs Department comparable demands by the railways would cost six crores of rupees, so that the commitments involved in giving way to these strikers would be enormous, and the effect would be felt not only by the Central Government but by all Provincial Governments and the whole economy of the country. The Posts and Telegraphs employees have now been given terms which compare favourably with those in any other service in India, and if we were to make further concessions, the inflationary effect would be very serious. We shall undoubtedly have to take a firm stand; the main questions outstanding must be dealt with by the Pay Commission, which is to make co-ordinated recommendations for all Services of the Government of India and which has promised to report on pay scales by December. The interim relief proposed by the Adjudicator has already been accepted by Government, and if the Federation will not accept it, we shall have to fight it out with them and hope that public opinion will make them see reason.

I wrote to Nehru on the subject last night after my interview and stated the case in general terms. He has been closeted with Diwan Chaman Lal, the President of the Federation, and I hope some satisfactory settlement may be reached. It seems that there are two principal incentives—first, the desire to squeeze something out of the Caretaker Government which would not have been obtainable from a political Interim Government; and secondly, the desire of each aspiring Trade Union leader to score off his rivals. I wrote to Jinnah in similar terms as to Nehru.

7. Jinnah has telegraphed to me twice urging me not to approve the appointment of Sir Mirza Ismail as President of the Council in Hyderabad.

¹ No. 56.

² See No. 67.

³ No. 63.

The Nizam has however definitely proposed to appoint Mirza Ismail and as I have no reason for objecting I have told him that I approve. I shall probably hear more of the matter from Jinnah; he will to some extent have lost face as the result of his unsuccessful visit to Hyderabad which was known to be directed towards getting Mirza Ismail turned down. The Nizam's account of his interview with Jinnah was rather amusing in parts, Jinnah obviously quite failed to get his point across.

8. I am glad Khizar has agreed to be a representative of India at the Peace Conference for the first few days. I am now considering whether we should also invite Jayakar on the same basis.

9. We discussed once or twice when you were out here the question of strengthening my staff. I have now appointed Godbole, a senior Indian (Hindu) I.C.S. officer in Bihar, to be Secretary, Public. He will be useful on service questions and for general advice. I am told he is a good man and has had a lot of useful experience, especially as Chief Secretary and Adviser.

10. I sent you a telegram, No. 1520-S of the 21st July,⁴ marked Personal, about the diversion of rice or flour for Ceylon. The last sentence read: "In view of recent developments however, and since there is time, my Government must insist on a request to that effect being submitted formally from the Government of Ceylon to the Government of India through our Representative in Ceylon". To justify this suggestion I need only quote the following remarks made recently by Mr. Senanayake, the Leader of the Ceylon State Council: "We do not eat one grain of their (Indian) rice but get it through the good offices of our British friends".

11. How does the question of a British High Commissioner for India stand?

⁴ L/E/8/3960.

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*Mr Attlee to Mr Jinnah*¹

L/PEJ/10/73: ff 189-91

10 DOWNING STREET, 23 July 1946

My dear Jinnah,

Thank you for your letter of the 6th July.²

I have, of course, studied closely the correspondence between the Cabinet Mission and the Viceroy and the political parties in India and I have had a full discussion with the members of the Mission since they returned here.

JULY 1946

I should like to express to you my appreciation of the very real contribution which the Muslim League, under your leadership, made to the general effort to obtain a settlement.

It seems to me that the Congress also made a contribution, the substantial nature of which has to be recognised, and I cannot quite accept your description of their attitude.

As regards the Statement of May 16th, the terms of the Congress acceptance³ certainly leave something to be desired. But I must point out that the Muslim League, in their resolution of the 6th June,⁴ also made certain reservations. Only the proceedings of the Constituent Assembly itself will show whether the reservations which each party has thought it necessary to make will permit of a constitution being produced, under which the natural aspirations of both can be reasonably satisfied.

Everyone knows that, if there is to be peaceful and assured future for India, these present differences must be resolved by argument and compromise. That is after all the function of the Constituent Assembly and I have sufficient faith in the resources of statesmanship in India to believe that it will be equal to the great task which it has to carry through. It seems to me that you, as the unchallenged political leader of the Muslims, will earn a great debt of gratitude from future generations if you continue to use your powerful influence to promote this end. Of course, the other side must make a similar contribution if success is to be achieved.

I appeal to you personally to use your great influence in India's cause, and I trust also that you will do your utmost to assist the Viceroy in the formation of an Interim Government. The Constituent Assembly is much less likely to take a course which we should all regret, if the two parties are collaborating in the Government, and for this reason in particular I attach great importance to the formation of a Coalition Government without any further delay.

Yours sincerely,

C. R. ATTLEE

¹ Mr Clauson sent this letter to Mr Abell, under cover of a note dated 25 July, for onward transmission after the Viceroy had seen it. L/P&J/10/73: f 187.

² See No. 68. ³ Vol. VII, No. 603. ⁴ Vol. VII, Enclosure to No. 469.

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Pandit Nehru to Field Marshal Viscount Wavell

R/3/1/116: ff 65-6

PERSONAL AND CONFIDENTIAL 18 HARDINGE AVENUE, NEW DELHI,
23 July 1946

Dear Lord Wavell,

I have given careful consideration to your letter of 22nd July¹ which you gave me yesterday. I agree with you that publicity in the Press or otherwise does not do any good when delicate negotiations have to be carried on. So far as I am concerned, I shall see to it that the Press has no knowledge of it. But it is not possible for me, even as Congress President, to function by myself in such matters without any reference to my colleagues. Inevitably I shall have to consult my colleagues.

This becomes even more necessary because the situation itself has changed in many ways since we discussed these matters and much has happened which has to be taken into consideration in arriving at a decision. You will remember our telling you at our last meeting that it would not be possible to pick up again the old threads where they had been left off. That chapter had come to an end and an entirely new approach would have to be made. Since then a meeting of the All India Congress Committee has been held and the whole subject reviewed. A new Working Committee (though it has many of the old members in it) has been formed.

Apart from this, our experience of the previous talks has demonstrated that there is little hope of a successful issue along the old line of approach. And even if there was some temporary arrangement, this could not last or be capable of dealing with the urgent problems of the day. The all-India strikes that are taking place are evidence of the tension in the country and the accumulation of many problems whose solution has been postponed for so long. Only a strong Government with clear objectives can deal with this situation effectively. Such a Government cannot be formed in the manner suggested.

You have referred to the letter you wrote to Maulana Azad on 30th May² regarding the status of the Interim Government. The assurances you gave then were very far from satisfying us, but in our urgent desire to find a way out, we did not raise any further objections on this score. You will remember that we have all along attached the greatest importance to what we have called the 'independence in action' of the Provisional Government. This meant that the Government should have perfect freedom and that the Governor-General should function as a constitutional head only. Anything else would be more or less a copy of the Executive Council with, of course, some obvious differences.

It is on the basis of this 'independence in action', and on this basis only, that a satisfactory approach to the problem can be made. Once this is acknowledged and admitted you will find, I think, that other relatively minor issues do not offer much difficulty. That acknowledgment would effect even the formation of the Government. It would not be proper then for the Governor-General to select representatives of the minorities, as you have suggested in your letter.

This question of the status and powers of the Provisional Interim Government has, therefore, to be decided first in unambiguous language. That status does not mean some kind of vague international status but internally—the functioning at home as an independent Government though with certain inevitable drawbacks due to the existing circumstances.

I am not writing to you about the other matters mentioned in your letter as those can only be considered after the status and powers have been finally and satisfactorily decided. But I shall have much to say about other matters also at a later stage.

In view of what I have written above, I am wholly unable to cooperate in the formation of a Government as suggested by you. So far as I know the mind of the Congress they would want the political independence issue settled before they can enter any Government.

I am going to Kashmir tomorrow morning. On the 29th I shall be passing through Delhi on my way to Allahabad. On the 8th August and subsequent days we are having a meeting of the Congress Working Committee at Wardha.³

Yours sincerely,

JAWAHARLAL NEHRU

¹ No 63. ² Vol. VII, No 409.

³ Lord Wavell sent the text of Pandit Nehru's letter to Lord Pethick-Lawrence in tel. 1536-S of 23 July. In tel. 1535-S of the same date, Lord Wavell said he would send comments on 'this ultimatum' the next day. R/3/1/116. ff 69-72. See No. 73 for Lord Wavell's comments.

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Mr Attlee to Lord Pethick-Lawrence

L/SE&G/7/752: f 14

10 DOWNING STREET, WHITEHALL, 23 July 1946

Prime Minister's Personal Minute: Serial No. M 243/46

Secretary of State for India

I have seen correspondence between Ministry of Transport and your Ministry with regard to estimated number of Europeans to be evacuated from India, if such a course became necessary.¹

¹ See No. 4.

It appears that the figure previously given 44,537, has now been amended to 96,081. I cannot understand the possibility of error of this magnitude, if the Government of India has any degree of efficiency.

We cannot do our work here properly if figures are utterly unreliable.
Please take this up with the Government of India.²

C. R. A.

² On 3 September Lord Pethick-Lawrence replied to Mr Attlee's minute by sending him the text of the explanation given by Lord Wavell in No. 187, para. 8, beginning at the second sentence. L/S&G/7/752 f 3.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/116: ff 75-6

IMMEDIATE
TOP SECRET

NEW DELHI, 24 July 1946, 10 pm
Received: 24 July, 9.40 pm

No. 1548-S. My 1536-S of 23rd July.¹ Nehru's letter coupled with other information that has reached me suggest strongly that Congress in their meeting at Bombay decided on a definite and aggressive line of action. They appear to be convinced that HMG dare not take action against them and will be compelled to acquiesce in any demands they make.

2. I propose to see Nehru on the 29th and speak to him on the following lines:—

(a) what does he mean by "independence in action"? The Governor-General has responsibilities towards the States and he has to protect the Minorities and the Services. Does Nehru propose that the Governor-General should repudiate those responsibilities? I should make it quite plain to him that this was out of the question.

(b) I should then ask what he meant by "an independent Government though with certain inevitable drawbacks".

(c) If conversation on (a) and (b) left any ground for hope I would ask him to put my letter² to the Working Committee and let me have a formal reply as soon as possible.

3. If however it was clear that the Congress will not participate in the Interim Government except on the condition that absolute power is handed over to them and the Governor-General's special powers abrogated I propose to speak in perfectly clear terms. I would say that HMG have the fullest intention of handing over power to the Indians. They wish a united India. But they do not recognise Congress as representing all India and have no intention of

handing over power to Congress alone. While they are prepared to consider any modifications in the working of the Interim Government which are desired by *both* main parties HMG will not accept unilateral demands by Congress.

4. Evidence is accumulating to the effect that Congress intend to declare the Constituent Assembly a sovereign body and to try to force on me a government elected by it and dominated by Congress. If Nehru made any reference to the Constituent Assembly I would say that HMG meant what they said in the Cabinet Mission's Statement of 16th May. HMG will not recognise any constitution unless framed in a Constituent Assembly proceeding on the basis of the Statement of 16th May. They have definitely said so in Parliament and do not propose to resile from their expressed intention. If Congress do not intend to work the Statement of 16th May sincerely on the lines laid down therein, HMG must reconsider the whole position.

5. I would say that Congress has in fact the choice between a peaceful transfer of power by the means indicated by HMG or of provoking a conflict which is bound to lead to chaos in India; and that they would be well advised to choose the former. That while we recognised that it was within the power of Congress to make government under existing Constitution difficult, opposition to HMG could only be in the end disastrous to India.

6. If, as seems almost certain from Nehru's letter, Congress have decided to challenge HMG and to become the only effective power in India HMG will have to make up their minds now whether to abdicate or not. I have no doubt whatever that we must if necessary accept the challenge. We have obligations in honour not to hand over the Muslims and other minorities to the unchecked domination of Congress and our own interests demand that we should not surrender tamely.

7. I must request most urgent instructions on the policy which HMG proposes to adopt in face of what appears an inevitable challenge by Congress to their authority.

¹ In this telegram Lord Wavell sent Lord Pethick-Lawrence the text of No 71. R/3/1/116: ff 70-2.

² No. 63.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/PEJ/10/63: ff 48-52

IMPORTANT

INDIA OFFICE, 24 July 1946, 8.30 pm

No. 13667. The Prime Minister has received letter from Baldev Singh dated 7th July¹ substance of which is as follows:—

1. He seeks Prime Minister's personal intervention for remedying the wrong that has been done, he is sure, inadvertently, to Sikh community.

2. Depth of community's feeling is expressed in resolution of June 10th² copy of which is enclosed.

3. It is clear that overall consideration which weighed with Delegation was to give every consideration possible to Muslim League.

4. Delegation admitted the injustice of including predominantly non-Muslim areas, mainly Sikhs, within a sovereign Pakistan and were opposed to division of Punjab among other reasons because it would divide the Sikhs. They agreed that every argument that can be used in favour of Pakistan can equally be used in favour of the exclusion of non-Muslims from Pakistan. They thus recognised weight of Sikh fears against Muslim majority domination. Although they rejected sovereign Pakistan by imposing group system they have involved Sikhs in what must in the end amount to a perpetual Muslim communal rule by imposition of group system. They have made no provision whereby Sikh areas can opt out or protect Sikh cultural, social and even religious rights on the basis assured to both Hindus and Muslims. Sikh community holds that this is palpably unjust. Sikhs have been recognised as one of three main communities of India. Requests Prime Minister to consider whether it is at all fair that provisions of 19 (vii) of Statement should apply only to Muslims and Hindus and suggests that it should be made applicable to Sikh community as well.

Following is text of reply which I propose to submit to Prime Minister subject to your comments. Please telegraph early reply. Draft Reply begins:—Thank you for your letter of July 7th, in which you put forward certain views on behalf of the Sikh community and request that the provision relating to the settlement of major communal issues in paragraph 19 (vii) of the Statement issued by the Cabinet Mission on May 16th should be made applicable to the Sikhs as well as to the Hindus and the Muslims.

I understand that this point was raised with the Cabinet Mission both by Master Tara Singh and yourself³ and that you were informed⁴ that while the

Mission could not alter the Statement of May 16th it was open to Group B of the Constituent Assembly to adopt by agreement the provision which the Sikhs desire for their protection. The Mission also said that the matter would be raised with the leaders of the two major parties, and His Excellency the Viceroy has had such discussions.

I understand that Giani Kartar Singh has recently raised with H.E. the Governor of the Punjab the possibility that the Viceroy should have further consultations with party leaders and that Sir E. Jenkins replied that H.E. the Viceroy had Sikh apprehensions very much in mind and would have further discussions about them with the party leaders during the negotiations for an Interim Government.⁵

I have given close personal consideration to this matter and I am quite clear that the Statement of May 16th which had the full approval of His Majesty's Government at the time cannot be altered in the way the Sikhs desire. At the same time the Viceroy is very ready to discuss the position with the Presidents of the Congress and the Muslim League. It is unfortunate however that the Sikh community should in the meantime have decided not to elect their representatives to the Constituent Assembly. It is obviously more difficult to raise with other parties the position of the Sikhs in the Constituent Assembly when, through their own decision, they remain outside it. In any event I hope that the Sikh community will decide to co-operate in the process of constitution making. Surely it would be a mistake if the Sikh community refuse to use the opportunity which has been offered to them simply because they assume in advance that the mere weight of voting power will be used to injure their vital interests and to deny their natural aspirations. I should hope that the Constituent Assembly will face its problems in quite a different spirit. *Ends.*

¹ Sardar Baldev Singh's letter is on L/P&J/10/63: ff 48-52.

² See Vol. VII, No. 482.

³ See Vol. VII, Nos. 380 and 383.

⁴ See Vol. VII, Nos. 423, 424 and 463.

⁵ See Nos. 5 and 10

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Field Marshal Viscount Wavell to Sir F. Burrows (Bengal) (Extract)¹

R/3/1/123: f 188

No. 40/3

24 July 1946

Many thanks for your letter of the 18th July.² I am glad your elections to the Constituent Assembly passed off smoothly. It is interesting that Ambedkar was elected and clearly the position of the Independents is going to be very important. I hear disturbing rumours that the Congress policy will be to allow

¹ Only this extract is on R/3/1/123.

² L/P&J/5/153: ff 116-20.

the Constituent Assembly to break up into sections as required by the Statement of 16th May, and then to put forward the thesis that voting will be not by ballot, but on the principle of one vote per Province. They actually allege, or so I am told, that their legal experts advise that this is the true meaning of the Statement of 16th May! I fear it will be impossible to devise any scheme which these people would not spoil by what they regard as their cleverness.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/S&G/7/904: f 93

IMPORTANT

NEW DELHI, 25 July 1946, 2.10 pm

Received: 25 July, 11.30 am

No. 1549-S. My telegram No. 1538-S of July 23rd.¹ Protection of Services. Wylie discussed subject with his Council of Ministers two days ago. He expected trouble but none occurred and the attitude of the entire Council was friendly. Ministers' proposal was to inform legislature (a) that no general inquiry was considered necessary, (b) that, on the other hand, the government would certainly be prepared to investigate specific complaints against individual officers, and (c), that to assist them with (b), government intended to set up tribunal composed of carefully selected members of highest possible judicial standing.

2. Wylie said he could not agree to (c) as that would only *attract* complaints. Otherwise he might on fuller consideration, for which he would need time, agree to (b).

3. Premier undertook to consider with his colleagues possibility of dropping (c). In the meantime, he agrees that, during the budget debate, government spokesmen should confine themselves to the reply that the matter was under active consideration.

4. Governor made no mention at all of individual judgment.

¹ Sending the text of para. 3 of the note of his interview with Pandit Nehru (No. 67). L/S&G/7/904: f 100.

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Cabinet

India and Burma Committee. Paper I.B. (46) 26

L/SE/G/7/263: ff 73-7

RECRUITMENT FOR THE INDIAN CIVIL SERVICE AND THE INDIAN
POLICE

MEMORANDUM BY THE SECRETARY OF STATE FOR INDIA

INDIA OFFICE, 25 July 1946

On 16th July¹ my colleagues took a decision in principle against further recruitment of European candidates to the Indian Civil Service and the Indian Police, which are Secretary of State's Services. I desire to obtain their views as to (1) what precisely this decision is intended to cover in practice, and (2) what measures for filling the cadres of the two Services in question are to be adopted instead.

2. The facts are that, as against a cadre strength of 1064 in the case of the Indian Civil Service and of 632 in the case of the Indian Police, the numbers of officers actually serving at present are approximately 1047 and 556 respectively. It may be taken as quite certain however that when the ban on retirement which has been in operation during the war is raised at the end of this year, as has already been decided and announced, there will be a substantial exodus of officers comprising (a) officers who have already earned full pension and who may well number 100 or more and (b) officers desirous of retiring on proportionate pension whose number will be influenced by the terms of compensation likely to be offered on the coming into effect of constitutional changes. (The ban on retirement has already caused considerable hardship and any suggestion of going back on the decision to lift it would be most strongly resented.)

3. The question of the resumption of recruitment to the Indian Civil Service and the Indian Police, which was suspended during the war, was brought by my predecessor before the War Cabinet of the Coalition Government on two occasions. On the 9th June 1944² the War Cabinet agreed that it was essential to maintain European recruitment at its present strength and quality and that whatever steps were necessary to secure this should be taken; and in April 1945³ the proposed basis and terms of recruitment were reported to them. On 1st June 1945 the intention to resume recruitment and the details of the recruitment scheme were publicly announced. It was made clear in the

¹ See No. 38.

² Vol. IV, No. 532.

³ See Vol. V, Enclosure to No. 412.

THE TRANSFER OF POWER

Communiqué issued at the time that the decision to maintain the pre-war ratios between European and Indian recruits in filling war-reserved vacancies had been taken because it was in accordance with the principle underlying the reservation of these vacancies for those who had rendered "war service".

4. Since the recruitment scheme was published, it has twice been publicly stated, once in India and once in this country, that it was not the intention to abandon it. In reply to a question in the Indian Legislative Assembly on 12th February last,⁴ the Home Member, following the receipt of a telegram from myself, stated that the Secretary of State had intimated that he did not propose to hold the recruitment scheme in abeyance for the following reasons:—

- (i) An undertaking had been given that recruitment would be carried out on the basis of pre-war ratios as between British and Indian recruits, in accordance with which recruits would have entered the Services but for the war and the withdrawal of vacancies from Europeans would be regarded as a breach of this undertaking.
- (ii) The terms under which new recruits were to serve made clear provision for constitutional changes.
- (iii) The Secretary of State hoped that the time was close at hand when a new Government would be able to make their own arrangements, but he felt that in the meantime the administrative machinery should be maintained by filling accrued vacancies on the basis of pre-war ratios.

In the House of Commons on 4th March last,⁵ the Parliamentary Under-Secretary of State gave as the reasons for proceeding with the scheme, first, the implementing of undertakings given in respect of the reservation of such vacancies for candidates with "war service" and, secondly, the maintenance of the administrative machine pending the transfer of responsibility.

5. In the meanwhile the Recruitment Scheme has been proceeded with on the assumption that successful candidates would, in fact, take up appointments during the coming autumn. Offers of appointment have been made to 73 European candidates, of whom 54 have so far accepted; and a still larger number of European candidates who have been through the selection process and have been found suitable have been informed that they will be considered for appointment in due course. In my opinion all these candidates would, in the event of abandonment of recruitment, be entitled to some compensation, which in the case of those who have been definitely offered appointments might average a few hundred pounds, but in the case of the others would be substantially less.

6. The question whether the recruitment of Europeans should be abandoned in the event of the Cabinet Mission's plan being accepted was referred by the Viceroy at the end of May to Provincial Governors, who were asked to consult

their Ministries and inform them that no decision would be taken until the Interim Government had seen the opinions of Provincial Governments and considered the matter. Provincial Governments have since replied almost unanimously in favour of the abandonment of European recruitment; and at least three have also expressed opposition to the recruitment of Indians to the Secretary of State's Services at the present time. On the other hand, there now seems little chance of the formation of an Interim Government in time for it to be consulted before a decision on the question of European recruitment has to be taken.

7. The selection of Indian candidates, which is being carried out in India, is less far advanced than the selection of European candidates and no offers of appointment have yet been made to Indian candidates. Applications were received from over 3,000 eligible candidates and although the selection process is being completed as expeditiously as possible the stage at which offers of appointment could begin to be made is not likely to be reached before the end of August. If it were decided to abandon recruitment of Indians to the Secretary of State's Services, it would be necessary to consider whether any claims to compensation had thereby arisen, but the case for paying compensation to Indian candidates would clearly be much less strong than in the case of European candidates especially as there is little doubt that the majority of the Indian candidates likely to be considered suitable for appointment to the Secretary of State's Services would receive alternative offers of employment under government in India.

8. There can be no doubt that the Secretary of State will be held responsible for the maintenance of the efficiency of the Indian administrative machine and that he will be subjected to criticism both in this country and in India if, owing to a decision not to proceed with the "War Service" Recruitment Scheme, the administration either breaks down or has been reduced to a state of inefficiency before the transfer of responsibility takes place.

9. The questions to be decided are:—

- (1) whether we should cancel the offers of appointment already made to 73 European candidates of which 54 have already been accepted;
- (2) whether we should proceed with the cases in which appointments have already been offered, but make no further offers to European candidates pending consultation with an Indian interim political government;
- (3) whether we should go forward with the selection of Indian candidates for the Secretary of State's Services including, if necessary, making good any deficiency of European candidates;

⁴ See *Legislative Assembly Debates*, Vol. II, 1946, pp. 849-51.

⁵ See *Parl. Debs.*, 5th ser., H. of C., vol. 420, cols. 14-15.

THE TRANSFER OF POWER

- (4) whether, as regards Indians, we should convert recruitment under the Secretary of State into recruitment under a government in India.

Whichever of these decisions we take, it will be necessary to issue an early announcement on the subject and this is certain to attract considerable attention both in this country and in India. Any abandonment or suspension of the recruitment of Europeans will attract considerable opposition in Parliament and would provoke a Debate in both Houses. (It will not now be practicable to reach a decision in time to make an announcement before Parliament adjourns.) If, on the other hand, the recruitment of Europeans is not abandoned completely there will be considerable criticism in India and it will be said that the Secretary of State, after taking steps to promote the independence of India, proceeds on his return to this country to belie his proposals by making these European appointments. It will no doubt become publicly known that Provincial Ministries have been consulted on the question of European recruitment and have advised against it. My opinion is that if we confine ourselves to the appointment of those candidates to whom offers have already been made, we could meet the Indian criticisms by indicating that the Indian interim political government would be consulted before further European recruitment was undertaken.

10. I have already drawn attention to the fact that there is likely to be some opposition in India even to the appointment of Indians to the Secretary of State's Services, attracting, as it would, claims to compensation at the time of the transfer of power when the new constitution comes into being. On the other hand a changeover in the case of Indians from appointment to Secretary of State's Services to appointment to Services under the control of the Indian Governments is likely to augment opposition in this country on the ground that we are taking this step in anticipation of a constitutional change in India which is not yet certain to take place in the immediate future.

11. I suggest therefore that before coming to any final decision, it would only be right that the opinion of the Viceroy should be asked on all these points and I submit a proposed telegram⁶ to him dealing with the matter for the approval of my colleagues.

P.-L.

⁶ This draft is not printed. See No. 109 for the telegram as sent.

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*Lord Pethick-Lawrence to Mr Attlee**L/PEJ/10/73: f 163*MOST IMMEDIATE
Prime Minister

INDIA OFFICE, 26 July 1946

Secretary of State's Minute: Serial No. 38/46

I attach a draft reply¹ to the Viceroy on the lines discussed at our meeting yesterday evening. I think it covers all the points made in the discussion except that it does not suggest that the interview with Nehru fixed for the 29th might be postponed. Unless the Viceroy raises objections to the line we propose that he should take I think it would be better not to postpone the meeting. Nehru would get the impression that the Viceroy was corresponding at length with us about his letter. As the Working Committee is on the 8th the postponement could in any case not be for more than a few days.

2. I have inserted in paragraph 3 a new passage which is sidelined in ink.² I should be glad to know whether you agree to it being included.

3. I am sending a copy of this to the President and the First Lord.³

PETHICK-LAWRENCE

¹ The wording of this draft reply was the same as the wording of No. 79.

² The passage in question ran from 'You might if you think . . . to ' . . . new light from the old' in para. 3 of No. 79

³ A note on this document by Mr Turnbull reads: 'App[rove]d by P.M. and other 2 Ministers by phone.'

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*Lord Pethick-Lawrence to Field Marshal Viscount Wavell**Telegram, L/PEJ/10/73: ff 157-61*IMMEDIATE
TOP SECRET

INDIA OFFICE, 26 July 1946, 6 pm

13792. Superintendent Series. I have discussed your telegram 1548-S¹ with Prime Minister and my colleagues who were on the Cabinet Delegation. We think you will agree that it was our experience that it is the consistent practice of the Indian parties to take up a bargaining position well in advance of what they expect to get and we feel that it would be fatal to deal with

No. 73.

Nehru's letter² on the assumption that it is a final challenge under threat of a direct breach with Congress. We regard it rather as another attempt, such as was constantly made during the Mission's negotiations, to squeeze some further concessions out of H.M.G.

2. No doubt at the Bombay meeting Nehru was faced with a strong left wing element in Congress and we observe that he has found it necessary to put at least two representatives of left wing on the Working Committee. This may also well make it necessary for him to make an attempt to secure further concessions on the status of the Interim Government but that does not mean in our opinion that the Congress will necessarily press matters to extremes in the last resort. Fact that Nehru took reasonable line with regard to enquiry into Service cases connected with 1942 disturbances leads us to hope that he is not disposed to be altogether unreasonable. From evidence of views expressed by several Congress spokesmen there seems moreover to us to be considerable ground for hope that the representative men and women who have been elected to the Constituent Assembly will not pursue extreme courses there. Constituent Assembly when it meets may have a considerable influence and other voices besides that of Congress will be heard there. We feel therefore that it is quite vital not to allow any difference with Congress to come to a head before the Constituent Assembly meets at the end of August.

3. We agree that it is out of the question to concede complete independence in the interim period and we should like you to say to Nehru that as the constitution cannot be changed during this period the position taken in your letter to Azad dated 30th May³ appears to represent all that they can reasonably ask. But we feel strongly that in your conversation with Nehru it would have the contrary effect to what both you and we desire to press him as to precise meaning of particular phrases in his letter. This might only result in his defining his position more definitely and sticking to what he has already written. We suggest that you should rather have a general talk with him on the line that you want to take the matter up from the point already reached when the Mission was in Delhi and to find out what the difficulties to be overcome really are. We feel you should make it clear to him that you assume that he is a responsible practical statesman who wants to reach a settlement. Indeed we suggest that you should say almost at the outset that you are not prepared to contemplate the possibility of failure to complete the work carried so far while the Cabinet Delegation was in India and feel sure that he does not wish for such an outcome. We think that you should give him an opportunity to explain his difficulties and be ready to discuss ways of overcoming them. You might if you think suitable point out to him that there are a number of important matters pending upon which you want to take the advice of responsible Indian statesmen, and that you have waited to decide these finally until the new Interim Government

is formed. This is at once an argument for Congress coming into an Interim Government without delay and an indication that you mean business when you say that this new Government will be regarded by you in a new light from the old. As to the minority representatives we see no harm in Congress and Muslim League putting forward nominations provided final selection rests with you.

4. Subject to this general approach, which involves omission of the points you had proposed to raise in your paragraph 3,⁴ except in so far as these might subsequently emerge in conversation, we agree to the line you propose to take in your paragraphs 3 and 5 but omitting the last sentence of paragraph 3 because though this may be substantially our position the enunciation of it as a principle might result in giving Jinnah an absolute veto.

5. As regards your paragraph 4 statement actually made in Parliament was as follows: "It is on the basis of that agreed procedure that His Majesty's Government have said they will accept the decisions of the Constituent Assembly". This would not preclude us from adopting a Constitution framed through some other procedure if circumstances make it inevitable or if some other procedure were to be agreed to by the major parties. You should therefore not put this to Nehru in the more definite form which you suggest.

6. We regard it as quite vital that your conversation with Nehru on the 29th should not end in complete rupture with Congress or result in his reporting the matter to the Working Committee on the 8th August in form which makes rupture probable. I am afraid we are not prepared to accept assumption of your paragraphs 6 and 7 that challenge by Congress to His Majesty's Government's authority is inevitable. If Nehru proceeds to open threats of violence please report to us what he says and we will consider the situation. We feel that even if the situation is as serious as you assume we should use every endeavour to keep it from crystallising before Constituent Assembly meets.

7. If no progress towards agreement results from your conversation and if situation shows signs of moving towards disaster, we think that it may be desirable to ask Congress and Muslim League each to send representatives to London to discuss the position. In that event we should of course wish you to come here to participate in the conversations which would be a continuation of the Cabinet Delegation's work, though no doubt the Prime Minister would then participate in it.

8. It will not have escaped your notice if you give Nehru permission to consult his Working Committee Jinnah should be given simultaneous freedom

² No. 71. ³ Vol. VII, No. 409.

⁴ The reference here should be to para. 2 of No. 73. Mr Turnbull informed Mr Abell of this in tel. 13932 of 29 July. R/3/1/116: f 88.

to do the same since in your letter⁵ to both of them you asked them to refrain from doing so until some basis of agreement had been reached between you and them, and publicity will almost certainly result, which both you and we wish particularly to avoid at this stage.

⁵ No. 63.

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*Sir H. Twynnam (Central Provinces and Berar) to Field Marshal Viscount Wavell
(Extract)*

L/PEJ/5/195: f 138a

SECRET

GOVERNOR'S CAMP, CENTRAL PROVINCES
AND BERAR, 27 July 1946

No. R-24/G.C.P.

5. I shall be very interested to hear what H.M.G. have decided about the future of the Services. It seems to me that the dilemma is as follows:

H.M.G. must either decide on a policy of maintenance of law and order in which case it would be wrong to saddle a handful of European officers (in this Province perhaps some twenty altogether, I.C.S. and Police) with the responsibility, and to expose them to the great risks with which they will be faced at the time and the intense hostility with which they will be followed when Congress returns to power; or, if there is no intention of maintaining a firm front against a mass movement, there can be no justification for retaining European officers at all.

My conclusion, therefore, is that the recommendation made as a result of our recent conference¹ was the right one and that it is the proper thing for the Secretary of State to wind up his Services now except in Provinces where it is desired to retain them. It is, in short, illogical and unjustifiable to expect the crew (and a skeleton crew) to face the storm when the Captain intends in any event to abandon ship.

¹ See No. 21.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/116: ff 86-7

IMMEDIATE

NEW DELHI, 28 July 1946, 12 noon

SECRET

Received: 28 July, 12.50 pm

1564-S. Your 13792 of 27th July.¹ I can assure you that I have no more desire or intention to break with Congress, if it can possibly be avoided, than you

have. But Nehru's letter² is more challenging than anything which was put up while the Mission was out here, and we cannot go on being perpetually subject to these squeezes. I am quite sure that the only way to prevent them is to be firm on the essential points. Congress are convinced that they have got us on the run and we ought to correct that impression at once.

2. I therefore sought assurances from H.M.G. that they were prepared to stand firm on two essential matters: (A) that the present constitution must be maintained until a new one is agreed; and (B) that the general procedure laid down in the Statement of May 16th will be adhered to.

3. (A) means that we cannot go any further in giving powers to the Interim Government than I have already gone in my letter to Azad.³ I am glad to see that H.M.G. is in agreement on this point.

4. As regards (B) I am perturbed by your paragraph 5, and I trust that this does not mean that H.M.G. would ever contemplate any constitution composed in *this* Constituent Assembly which had been prepared by procedure inconsistent with the Statement of May 16th. I should like to be assured on this point.

5. I will speak to Nehru on the general lines indicated in your telegram. Since you think it undesirable to ask him the precise meaning of the phrases he uses in his letter about the independence of the Interim Government, I will not do so; but I feel that to ask him to explain his difficulties, as you suggest, will probably result in his saying what the intention of those phrases is. I have on several occasions already pointed out to him the number of important matters pending for decision by the Interim Government, and did so again in the last conversation I had with him. I am afraid that I am doubtful of a successful outcome to the discussion as regards the formation of an Interim Government, but I will do my best and even if I can make no progress over the Government I have no intention of the discussion leading to an immediate rupture with Congress, and I hope that the formation of the Constituent Assembly will still be proceeded with.

6. Since I sent my telegram 1536-S of 23rd July⁴ I have had a further close examination made of the evidence available about the intentions of Congress in regard to the Constituent Assembly.⁵ Although a number of reports are definitely gloomy, I conclude that on the whole Congress intend for a start to try and achieve their objects by proceeding in the Constituent Assembly in accordance with the Statement of the 16th May, though they will endeavour to interpret this to their own purposes. If they fail to get what they want, they may well change their line for more direct action.

¹ No. 79. ² No. 71. ³ Vol. VII, No. 409.

⁴ Sending the text of No. 71. R/3/1/116: ff 70-2. ⁵ See R/3/1/123: ff 195-8, 203.

7. I must however emphasise once again that there is every possibility of a serious breakdown and a direct challenge by Congress, and I must press His Majesty's Government to decide their policy in such an event.

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Brief by Mr Abell

R/3/1/116: ff 90-2

28 July 1946

BRIEF FOR INTERVIEW WITH NEHRU

You have considered his letter of the 23rd of July,¹ and you would like to discuss its implications. At first sight it would seem to close the door firmly on any possibility of an Interim Government but you cannot believe that is the intention. Everyone acknowledges that it will be hard for the Constituent Assembly to succeed if there is no *coalition* Interim Government: and apart from that there are many administrative decisions and tasks of the first importance to be faced.²

His Majesty's Government have gone as far as they can go in the assurances in the letter of the 30th May.³ You believe that if a Government is formed on the basis of that assurance as to its status it will be found that it has a very wide degree of freedom to implement its policies and that the day to day evidence of that fact will be convincing. You hope the Congress will not insist on assurances that cannot be given.

Nehru's letter suggests that it is impossible to take up the negotiations where they ended a few weeks ago. You on the other hand would say that the stage reached in those negotiations cannot be disregarded. There is no time to go over all the ground again. What is wanted is an Interim Government *at once*. The Constituent Assembly will meet in about 5 weeks time and there is no time to be lost.

You are sure that the Congress and Nehru himself want a peaceful transition and realise the danger that the country may lapse into chaos from which recovery may take a very long time. There is a clear choice before Congress and in spite of some things that have been said which would suggest the contrary you believe Congress intend to take the statesmanlike view. A conflict would undoubtedly lead to chaos in India, and while it is within the power of Congress to make government under the existing constitution difficult, opposition to His Majesty's Government could only in the end be disastrous to India.

(As has been made clear in Parliament His Majesty's Government's pledge is only that it will implement decisions of the Constituent Assembly *on the basis of the agreed procedure* i.e. that in the statement of 16th May. You trust

there is no question of the Congress sponsoring a move to disregard that procedure.)⁴

You would like your proposal put to the Working Committee at Wardha and you very much hope Nehru will be able to support it.

If Nehru agrees to put the proposals for the Interim Government to the Working Committee Jinnah will have to be asked to do the same. Does Nehru think the Working Committees should be asked to come to Delhi? The last thing you want is another round of interminable negotiations, and you would much prefer both sides to make a very special effort to agree, in spite of doubts, without further discussion. They can always go out of the Interim Government if they do not like it, as your letter emphasised.

Minutes by Mr Abell and Field Marshal Viscount Wavell

I have today shown Mr. Menon the brief I prepared for Y.E.'s interview with Nehru.

2. Mr. Menon suggests emphasizing the following two points:—

(1) Congress accepted the assurance in Y.E.'s letter of the 30th May to Maulana Azad. Surely the situation has not changed so much since then as to make it necessary to go back on that acceptance.

(2) The repudiation of that acceptance touches an issue (that of the status of the Interim Government) on which the Muslim League are particularly sensitive. The League are already in a difficult mood. Is there any sense in making them even more distrustful and suspicious?

3. Secondly Mr. Menon thinks that these negotiations should not be conducted only through Nehru because Nehru is unpredictable and is more difficult to satisfy than the Congress Working Committee as a whole. It was thought that Patel would be coming to Delhi and in that case he would have had a moderating influence on Nehru. It is now known that Patel will not come and in these circumstances Mr. Menon suggests that Sir John Colville should be asked to see Gandhi in Poona; to tell him of the offer and of Nehru's reaction; and to ask for his support. It is considered likely that Gandhi might then send for Patel and the policy of Congress might be settled by them. The advantage of this method would be that Gandhi and Patel might get together before Nehru has the opportunity of reporting to Gandhi. This action should

¹ No. 71.

² Lord Wavell noted in the margin of this para. 'I.N.A. officers—effect on army of any attempt at reinstatement.'

³ Vol. VII, No. 409.

⁴ A note by Mr Abell in the margin indicates that this para. was only to be used if the status of the Constituent Assembly came up in conversation.

however only be taken after informing Nehru that you proposed to take it. Nehru could hardly object to Gandhi being informed of what was going on.

4. I pointed out to Mr. Menon that recent experience did not suggest that Gandhi could be trusted to give effective assistance in this matter. He replied that however that might be, Gandhi was the biggest single factor still and that he was more likely to help if his vanity was satisfied by being consulted or informed in advance than if he heard about the proposal at second-hand through Nehru who appears to be hostile.

5. I agree with Mr. Menon about the two points to be emphasized with Nehru. The question whether to consult Gandhi may depend on how the interview goes; but on the whole it seems worth trying.

G. E. B. ABELL

29.7.46

P.S. Nehru arrives this evening and will stay till Wed. morning. May I fix an interview at midday tomorrow?

G. A.

29/7

Agree to interview. Do not think Gandhi should be approached at present.

W.

29/7

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/P&J/10/62: f 296

SECRET

NEW DELHI, 29 July 1946, 8.50 pm

Received: 29 July, 7.15 pm

No. 1573-S. When I last saw Nehru on July 22nd¹ he asked how summons to Constituent Assembly would be issued. I said that I should issue them. He thought they should be issued through Speakers of Assemblies. In subsequent discussion with official Secretary for Constituent Assembly Nehru said that while he would have preferred some arrangement by which the Assembly would call itself into being *suo motu* he appreciated that this would be difficult. He said he would have no objection to a procedure being settled which would be automatic in its application and by means of which provisional Chairman could be selected, e.g., according to precedent of French Constituent Assembly of 1945, oldest member should preside till election of permanent Chairman.

2. In paragraph 21 of statement of May 16th Viceroy was authorised to request Provincial Legislatures to proceed with elections of representatives. In paragraph 19 (iii) it is laid down that representatives shall meet at New Delhi as soon as possible. The second step follows from the first and I am sure that it is for the Viceroy to issue the necessary invitations, and there must be no doubt that it is on the basis of the statement of 16th May that Constituent Assembly is being summoned.

3. I am also advised that the best course would be for Constituent Assembly to elect its own provisional Chairman when it meets. Any nomination by Viceroy of an individual, or even decision to make oldest member provisional Chairman, might be contested with unfortunate results.

4. I propose to proceed as in paragraphs 2 and 3 above. Do you see any objection?

¹ See No. 67, para. 6.

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*Intercept by Intelligence Bureau, Home Department and Minute by Field Marshal
Viscount Wavell*

R/1/3/123: f 207

TOP SECRET

29 July 1946

Copy of a letter dated 22nd July 1946 from Jawaharlal Nehru, New Delhi, to Dr Khan Sahib, Peshawar.

"In regard to the Constituent Assembly, it seems to me desirable that persons elected to it should bring their credentials with them for presentation before the Assembly or some proper authority appointed by the Constituent Assembly. These credentials can take the shape of letters of delegation issued by the Speaker of the Provincial Assembly. This is not a mere matter of form.

We want this Assembly to function as much as possible as an independent sovereign authority and the less it has to do with the Government of India apparatus the better. The bringing of letters of delegation by the members of the Constituent Assembly and their proper presentation to the Chairman would add to the solemnity of the procedure and would emphasise the independence of the Constituent Assembly.

The Viceroy may, of course, issue a summons to the members. If this is done we can treat it as a mere formality, attaching far more importance to our letters of delegation from the Speaker of our own Legislative Assembly.

I would request you to pass on this suggestion to the Speaker of your Legislative Assembly. Such letters of delegation should be issued not only to the

members of the Provincial Assembly who have been elected but also to non-members who have been elected."

For information. A similar letter was sent to all Congress Premiers.

P. E. S. FINNEY, *Deputy Director*, (A.),—29-7-46.

This shows the way the wind is blowing. We should let S. of S. know.¹

W. 29.7.46

¹ See No. 98, para. 1.

85

The Nawab of Bhopal to Field Marshal Viscount Wavell

R/3/1/112: ff 27-31

SECRET

BHOPAL, 29 July 1946

My dear Lord Wavell,

I am grateful to you for your letter of the 21st July, 1946,¹ and for the action so kindly taken on my letter of the 14th July.²

2. The extract from the Secretary of State's speech at the recent debate in the House of Lords, which is quoted in paragraph 2 of your letter, should go a long way towards allaying the apprehensions caused to the States by recent public pronouncements of some of the British Indian leaders. I do not only share the faith of the Secretary of State that the States' Negotiating Committee will have the wisdom to work out an acceptable basis for the co-operation of the States in the Constituent Assembly, but am also very hopeful of the outcome of those discussions. On my part I can assure Your Excellency that I shall leave nothing undone in the way of a satisfactory solution of our intricate problems. Nevertheless, recent events make me feel somewhat despondent. There is lack of reason, and of a desire to give fair play. The spirit of compromise and realism seems absent amongst some of the very high ranking British Indian politicians. This emphasises the specific question, raised in my letter of the 2nd June, 1946,³ to Your Excellency, that if, with all the goodwill, reasonableness and desire to help on our part, the terms offered by the majority of British Indian representatives on the Constituent Assembly for the participation of the States in that body ultimately in a union of all-India are unjust and contrary to the recognised status, sovereignty and independence of the States, which make it impossible for them to accept those terms and no settlement is reached by agreement, the States are entitled to know how far then would His Majesty's Government be prepared to assist in placing the States in a position where they may hope to get a fair and just deal. What would be the

attitude of Great Britain if such an occasion did arise. Let us all hope that it will never arise, and do our very best to avoid it, but I think it is only right that the Princes should know their position in the worst possible situation.

3. Your Excellency and the Secretary of State have been good enough to refer publicly to the sense of realism and the spirit of accommodation shown by the Indian States in the recent negotiations. We wish to continue that attitude and have no desire to create difficulties. So far we have avoided even legitimate resort to propaganda or approach to our friends in India and England, in regard to some of our fundamental rights, lest it prove embarrassing in the present stage of delicate negotiations. It will, however, be appreciated that if justice is denied to us by the parties concerned and the States are offered impossible terms and conditions, it will not be possible in those circumstances for them to accept a position which was likely to strike at the very conception of an Indian State and which aimed at their ultimate extinction and destruction. We will be justified in that event to explore every legitimate avenue to ensure us fair play and the right to an honourable existence. We are happy to know that His Majesty's Government and Your Excellency will continue, during the forthcoming negotiations, to give such assistance as is in your power to promote agreed conclusions, but that is not enough. We are entitled to know what the position would be if your Excellency's efforts in this direction failed on account of the unreasonableness or obstinacy of the British Indian parties concerned.

4. Your Excellency and the Cabinet Mission have been helpful to the States during the recent discussions, and we are indeed grateful to you for this. The acceptance of the Cabinet Mission's plans by the Princes and their consent to work it have been based on the definite understanding that there will be no departure from the plan in so far as the basic fundamentals are concerned without the agreement of the main parties concerned, including the States. The statement of Your Excellency and the Cabinet Mission in regard to the States' Treaties and Paramountcy⁴ has unequivocally declared that, after the interim period, the States would be independent, and the Secretary of State's recent speech in the House of Lords has reiterated that the States "need have no anxiety since it is for them to decide freely to come in or not, as they choose". This means that if the States fail to secure reasonable and acceptable terms in regard to their adherence to the all-India Constitution, they would be free *inter alia* to negotiate the terms of future relationship with any foreign power and that foreign power may be England, and why not England, I ask myself the question.

5. I personally hope that wiser counsel will prevail and that an all-India constitution will emerge from these discussions to which the best of all parties

¹ No. 61.

² No. 27.

³ Vol. VII, No. 435.

⁴ Vol. VII, No. 262.

may be able to adhere honourably. Nevertheless the recent statement of the Congress President in regard to Kalat⁵ and his attitude towards Kashmir are indicative of ominous possibilities, which make it necessary for the States to consider all eventualities and to know where they stand.

6. There is one point on which the States feel very strongly and which has been unanimously endorsed by the recent meetings of Rulers and Representatives of States. It is that any proposals in the Union Constituent Assembly or the future Union Legislature raising a major issue specifically affecting the States should require a majority of the representatives of States present and voting, as has been provided for the two main communities in regard to major communal issues. Without some such provision any decision affecting the States could be taken by British Indian representatives if the majority or even the total number of States representatives voted against it. This point was raised by me immediately after the receipt of the statement of 16th May 1946, in my letter of 17th May,⁶ and it was suggested in reply⁷ that this was a subject for negotiation between the States and the British Indian members of the Constituent Assembly. The States feel that it is not fair to expect them to secure this essential and reasonable provision through negotiation with British Indian parties, nor should there be any discrimination in regard to this fundamental matter between the two major communities and the Indian States which are admittedly a principal part to these negotiations and have secured larger representation on the proposed Constituent Assembly than the Muslim community. Your Excellency and the Cabinet delegation have stated in paragraph 14 of the Statement of 16th May, 1946, that you have not dealt with the States in your proposals in the same detail as with the Provinces of British India. It should, therefore, be open to His Majesty's Government when filling in the details of the plan in regard to the States, to rectify this omission and to place the States at par with the other main elements concerned. The statement made by the Secretary of State during the recent debate in the House of Lords appears to support this contention of the States. He stated that the two parties (Congress and the League) cannot go outside the terms of what has been agreed to in the statement of 17th [16th] May. "That" said the Secretary of State, "will not be fair to the *other parties* who go in and it is one of the basis [it is on the basis] of that agreed procedure that the British Government have said that they will accept the provision of the Constituent Assembly. . . . Union cannot be established by force. It must be by agreement and it will be the task of the Assembly to obtain that agreement." I would, therefore, urge that the request of the States in regard to this fundamental question may be referred to His Majesty's Government with Your Excellency's support. I will of course negotiate with British Indians on this question and I feel that I might succeed, but if I fail then, unless His Majesty's Government can give the assurance the States seek, they

will find it most difficult if not impossible to have anything to do with the Constituent Assembly.

7. I need hardly reiterate that there is no desire on the part of the States to resile from their attitude of co-operation. In fact this letter is intended to enable the States to make their full contribution for the independence of their Country and the progress of India as a whole.

Yours sincerely,

HAMIDULLAH

⁵ In a letter to Khan Abdul Samad Khan of Baluchistan, published on 16 July 1946, Pandit Nehru referred to a statement which had been made in June by the Khan of Kalat. The Khan had said that if the British left India he would ask for the leased area of Kalat to be returned to him. Pandit Nehru wrote that Congress 'are not going to accept on any account any attempt to bring about such a deal'. L/P&S/12/3174.

⁶ Vol VII, No. 312. ⁷ Vol VII, No. 402.

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*Text of the two Resolutions passed by the All-India Muslim League Council
at Bombay on 29 July 1946*

R/3/1/135: ff 6-7

Resolution No. 1.

On the 6th of June 1946,¹ the Council of the All-India Muslim League accepted the Scheme embodied in the Statement of the Cabinet Delegation and the Viceroy, dated 16th May 1946, and explained by them in their statement, dated 25th May 1946. The Scheme of the Cabinet Delegation fell far short of the demand of the Muslim nation for the immediate establishment of an Independent and fully Sovereign State of Pakistan comprising the six Muslim Provinces, but the Council accepted a Union Centre for ten years strictly confined to three subjects, *viz.*, Defence, Foreign Affairs and Communications, as the Scheme laid down certain fundamentals and safeguards and provided for the grouping separately of the six Muslim Provinces in Sections B and C for the purpose of framing their provincial and group constitutions unfettered by the Union in any way; and also with a view to end the Hindu-Muslim deadlock peacefully and accelerate the attainment of freedom of the peoples of India. In arriving at this decision, the Council was also greatly influenced by the statement of the President which he made with the authority of the Viceroy that the Interim Government, which was an integral part of the Mission's Scheme, was going to be formed on the basis of a formula, *viz.*, 5 Muslim League, 5 Congress, 1 Sikh and 1 Indian Christian or Anglo-Indian stipulating

¹ Vol. VII, Enclosure to No. 469.

that the most important portfolios would be distributed equally between the two major parties, the Muslim League and the Congress. The Council authorised the President to take such decision and action with regard to further details of setting up the Interim Government as he deemed fit and proper. In that very Resolution the Council also reserved the right to modify and revise this policy, if the course of events so required.

The British Government committed a breach of faith with the Muslim League in that the Cabinet Delegation and the Viceroy went back on the original formula of 5 : 5 : 2 for setting up of the Interim Government to placate the Congress.

Having gone back on the original formula upon the faith of which the Muslim League Council had come to their decision on the 6th of June, the Viceroy suggested a new basis of 5 : 5 : 3 and after carrying on considerable negotiations with the Congress and having failed to get the Congress to agree to it, intimated to the Parties on the 15th of June that he and the Cabinet Delegation would issue their final statement with regard to the setting up of the Interim Government.

Accordingly on the 16th of June the President of the Muslim League received a Statement embodying what was announced to be the final decision for setting up the Interim Government by the Viceroy making it clear that if either of the two major parties refused to accept the Statement of June 16th, the Viceroy would proceed to form the Interim Government with the major party accepting it and such other representatives as were willing to join. This was explicitly laid down in paragraph 8 of the Statement of June 16th.

Even this final decision of the Cabinet Mission of the 16th of June with regard to the formation of the Interim Government was rejected by the Congress, whereas the Muslim League definitely accepted it. Though this proposal was different from the original formula of 5 : 5 : 2, the Muslim League accepted it because the Viceroy had provided safeguards and given other satisfactory assurances which were contained in his letter, dated the 20th of June 1946,² addressed to the President of the Muslim League.

The Viceroy, however, scrapped the proposal of the 16th of June and postponed the formation of the Interim Government on the plea concocted by the "legalistic talents" of the Cabinet Mission putting a most fantastic and dishonest construction upon paragraph 8 of the Statement to the effect that as both the major parties, i.e., the Muslim League and the Congress had accepted the statement of May 16th, the question of the Interim Government could only be taken up in consultation with the representatives of both the parties *de novo*.

Even assuming that this construction was tenable, for which there is no warrant, the Congress by their conditional acceptance with reservations and interpretations of their own, as laid down in the letter of the President of the Congress, dated the 25th of June,³ and the Resolution of the Working

Committee of the Congress passed at Delhi on the 26th of June,⁴ repudiating the very fundamentals of the Scheme had, in fact, rejected the Statement of the 16th of May and there was therefore no justification, whatsoever, for abandoning the final proposals of the 16th of June.

As regards the proposal embodied in the Statement of the 16th and 25th of May of the Cabinet Delegation and the Viceroy, the Muslim League alone of the two major parties has accepted it.

The Congress have not accepted it because their acceptance is conditional and subject to their own interpretation which is contrary to the authoritative Statements of the Delegation and the Viceroy issued on the 16th and the 25th of May. The Congress have made it clear that they do not accept any of the terms or the fundamentals of the Scheme but that they have agreed only to go into the Constituent Assembly and to nothing else; and that the Constituent Assembly is a sovereign body and can take such decisions as it may think proper in total disregard of the terms and the basis on which it was proposed to be set up. Subsequently this was made further clear and beyond any doubt in the speeches that were made at the meeting of the All-India Congress Committee in Bombay on the 6th of July by prominent members of the Congress and in the Statement of Pandit Jawaharlal Nehru, the President of the Congress, to a Press Conference on 10th July in Bombay⁵ and then again even after the debate in the Parliament in a public speech by him at Delhi on the 22nd of July.

The result is, that of the two major parties, Muslim League alone has accepted the Statements of May 16th and 25th according to the spirit and the letter of the proposals embodied therein and in spite of the attention of the Secretary of State for India having been drawn to this situation by the statement of the President of the Muslim League of 13th July from Hyderabad Deccan, neither Sir Stafford Cripps in the House of Commons, nor Lord Pethick-Lawrence in the House of Lords, in the course of the recent debate, have provided or suggested any means or machinery to prevent the Constituent Assembly from taking decisions which would be *ultra vires* and not competent for the Assembly to do so. The only reference that the Secretary of State made to this serious situation was a mere expression of pious hope when he stated that "that would not be fair to the other parties who go in".

Once the Constituent Assembly were summoned and met there was no provision or power that could prevent any decision from being taken by the Congress with its overwhelming majority, which would not be competent for the Assembly to take or which would be *ultra vires* of it, and however repugnant it might be to the letter or the spirit of the scheme. It would rest entirely with the majority to take such decisions as they may think proper or suit them and the Congress have already secured by sheer numbers an overwhelming

² See Vol. VII, No. 573.

³ See Vol. VII, No. 603.

⁴ See Vol. VII, Enclosure to No. 603.

⁵ See No. 16.

Hindu-Caste majority whereby they will be in a position to use the Assembly in the manner in which they have already declared, i.e., that they will wreck the basic form of the grouping of the Provinces and extend the scope, powers and subjects of the Union Centre which is confined strictly to three specific subjects as laid down in paragraph 15 and provided for in paragraph 19 of the Statement of 16th May.

The Cabinet Delegation and the Viceroy collectively and individually have stated on more than one occasion that the basic principles were laid down to enable the major parties to join the Constituent Assembly and that the Scheme cannot succeed unless it is worked in a spirit of co-operation. The attitude of the Congress clearly shows that these conditions precedent for the successful working of the constitution-making body do not exist. This fact, taken together with the policy of the British Government of sacrificing the interests of the Muslim Nation and some other weaker sections of the peoples of India particularly the Scheduled Castes to appease the Congress and the way in which they have been going back on their oral and written solemn pledges and assurances given from time to time to the Muslims, leaves no doubt that in these circumstances the participation of the Muslims in the proposed constitution-making machinery is fraught with danger and the Council, therefore, hereby withdraws its acceptance of the Cabinet Mission's proposals which was communicated to the Secretary of State for India by the President of the Muslim League on the 6th of June 1946.

Resolution No. 2.

Whereas the Council of the All-India Muslim League has resolved to reject the proposals embodied in the Statement of the Cabinet Delegation and the Viceroy, dated 16th May 1946, due to the intransigence of the Congress on one hand, and the breach of faith with the Muslims by the British Government on the other; and

Whereas Muslim India has exhausted without success all efforts to find a peaceful solution of the Indian problem by compromise and constitutional means; and

Whereas the Congress is bent upon setting up Caste-Hindu Raj in India with the connivance of the British; and

Whereas recent events have shown that power politics and not justice and fairplay are the deciding factors in Indian affairs; and

Whereas it has become abundantly clear that the Muslims of India would not rest contented with anything less than the immediate establishment of Independent and fully Sovereign State of Pakistan and would resist any attempt to impose any constitution-making machinery or any constitution, long term or short term, or the setting up of any Interim Government at the Centre without the approval and consent of the Muslim League.

The Council of the All-India Muslim League is convinced that now the time has come for the Muslim Nation to resort to Direct Action to achieve Pakistan, to assert their just rights, to vindicate their honour and to get rid of the present British slavery and the contemplated future Caste-Hindu domination.

This Council calls upon the Muslim Nation to stand to a man behind their sole representative and authoritative organisation, the All-India Muslim League, and to be ready for every sacrifice.

This Council directs the Working Committee to prepare forthwith a programme of Direct Action to carry out the policy enunciated above and to organise the Muslims for the coming struggle to be launched as and when necessary.

As a protest against and in token of their deep resentment of the attitude of the British, this Council calls upon the Musalmans to renounce forthwith the titles conferred upon them by the alien Government.

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*Field Marshal Viscount Wavell to Sir O. Caroe (N.-W.F.P.) (Extract)*¹

R/3/1/135: f 10

No. 40/9

29 July 1946

4. It is very unfortunate that the Muslim League has felt compelled to pass the resolutions which it has; and I think Nehru's intemperate speeches have done almost more than anything to drive them to this position. It is more than one can hope for that the Congress should approach the Muslims and offer them satisfactory assurances; and the lack of generosity among the Congress leaders makes one very doubtful about the future of a country which is guided by leaders with such a mentality.

¹ Only this extract is on R/3/1/135.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

L/PO/10/23

PRIVATE AND SECRET

INDIA OFFICE, 29 July 1946

Received: 5 August 1946

Many thanks for your letter of the 19th July.¹ Since you wrote, you very kindly sent a telegram² summarising the first reactions in India to the Debates in Parliament, which seem on the whole to have been not too unfavourable.

¹ No. 54.

² No. 56.

The Opposition played up quite well to the Prime Minister's suggestion (made at a private meeting with their leaders at which my Mission colleagues and I were present) that controversy should be postponed till after the recess, and it was clearly a wise move to have approached them beforehand.

2. As I write, you are probably having your interview with Nehru. My colleagues and I are very conscious of the fact that it is you who are now left to bear the burden and heat of these talks. I can assure you that we shall, from our own experience, have it prominently in mind how difficult it is to judge the best tactics from a distance and shall confine our comments to matters where we feel that important principles are at stake.

3. You will be glad to hear that we are addressing ourselves seriously to the problems of European recruitment and of compensation for Secretary of State's officers. After many hours spent in exploring the principles, past pledges, and figures involved in these questions with my official advisers (who naturally are prone to assume that everybody must necessarily be aware of facts and past history which to them has become second knowledge—an assumption far from justified in my own case, let alone that of the Cabinet!) I have managed to produce two papers³ with which I feel reasonably satisfied, and they come before the India and Burma Committee of the Cabinet on Wednesday. I hope thereafter to be in a position to go ahead rapidly in consultation with your Government and my statutory Advisers. I am in fact consulting the latter informally on Tuesday about the compensation issue, so that I may know their provisional views before I confront my colleagues. I have also seen the Government Actuary today and gone over the figures with him, and hope as a result to bear any cross-examination from the Chancellor of the Exchequer on the technical side.

4. All this, added to our consultations about the Interim Government, the protection of the Services, etc., apart from my other Cabinet work (incidentally we had Cabinet meetings of several hours both on Saturday, 20th and Sunday, 21st July, over various food questions) imposes no light burden; but Parliament rises, and regular Cabinets cease, at the end of this week, and one may then, I hope, look for some respite.

5. As to Services protection, I was delighted to note the reasonable attitude displayed by the Provincial Congress Premiers on this issue. I hope this state of affairs will continue.

6. I note with interest what you say in paragraph 6 about your Five Year Development Plans—we also have our coal difficulties in this country!

7. Many thanks for Shankar's Cartoon of the Sikhs. One misses these tit-bits here. It is very good news that the Sikhs are after all inclined to play.

8. I note what you say in paragraph 10 about the unfortunate divergence between the Governors of the Punjab and Sind in their actions over the pro-rogation issue. I am inclined to agree with you that Jenkins was right and Mudie wrong.

9. I saw Sir Shanti Bhatnagar the other day—a charming little man who made an almost embarrassingly flattering reference to me in his speech at a Government dinner. He asked me to support to you his plea that the programme of scientific research in India which was agreed upon by the late Government of India should not be held up because of the coming into office of the Caretaker Government. I imagine that the latter is in any case likely to carry on the policy and programmes of its predecessor, but I pass on the point for your consideration.

10. Another of my recent visitors was Khizar Hayat Khan: he made three points, none of which, I expect, is new to you. First, he said that the Punjab could not entirely divert its eyes from Russia—only 150 miles from its frontier. Secondly, that Punjabis most particularly want the Punjab to remain undivided—this is familiar ground! Thirdly, that with their experience of compromise between the communities, Punjabis would be a conciliatory force inside the Constitution-making Body. I was glad to see him, but I cannot understand why he should be so long away from his post and I hope that his stay in Paris will not be unduly prolonged. In this connection I might mention my interview with Jayakar, who was clearly torn between his desire to go to the Peace Conference and his fear of missing the bus for a possible bye-election to the C.M.B. His position was further complicated, I am told, by his fear of finding himself in some way subordinate to Khizar in Paris!

11. Polak was another visitor; he suggested that there ought to be some British Commonwealth machinery to handle differences inside the Commonwealth and so avoid their coming to the United Nations. Even if there had been such a body, do you think India would have appealed to it? I should be interested to hear your view—but I wonder myself whether any Commonwealth machinery of this kind is likely to be thought by the Dominions to be regarded as desirable in addition to Imperial Conferences and Prime Ministers' meetings. I understand that the India-South Africa trouble was sedulously avoided by the Prime Ministers during their recent London meetings! Polak also was concerned with Indians in East Africa.

[Para. 12, on a report on the health of the industrial worker in India, omitted.]

* See No. 77 for the India and Burma Committee Paper on recruitment to the I.C.S. and I.P. Paper I B. (46) 27 of 26 July 1946 relates to a proposed compensation scheme for S. of S.'s Officers. R/30/1/8: ff 13-17.

13. In your telegram of the 28th June No. 1393-S⁴ you gave a revised estimate of the total number of Europeans in India. The Prime Minister, who has since seen the figures, has minuted to me⁵ criticising the magnitude of the discrepancy between the previous estimate of 44,537 and the revised estimate of 96,081. He has asked me to take the matter up with the Government of India. The departments concerned in Whitehall had in fact thought it best in present circumstances to wait until any further question of evacuation arises before asking for a precise figure; but in view of the Prime Minister's Minute I feel bound to ask you to look further into this and see if you can give me a comparatively reliable estimate of the figures at the present time.

14. I have telegraphed to you about the time-table for Knight's departure from Burma. The King has informally approved the appointment of Brigadier Rance to succeed Dorman-Smith—who, I was glad to find, readily agreed that a change should be made forthwith. Rance apparently did very well as Chief Civil Affairs Officer and it is to be hoped that he will be able to get the administrative machine properly functioning before long.

15. Since the above was written I have had preliminary word of the recent decision of the Muslim League to go back on its acceptance of the long-term plan.⁶ I have not yet seen the actual text of the resolution and hope that there may still be a loop-hole for their taking part. No doubt I shall be getting a telegram from you very soon about this most serious development which reflects Jinnah's mood, and I shall await your reactions with anxiety.

⁴ L/S&G/7/752.

⁵ No. 72.

⁶ See No. 86.

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Sir F. Puckle to Mr Joyce (Extract)

L/I/1/811: ff 177-8

BRITISH EMBASSY, WASHINGTON, 29 July 1946

There is not much to report from here. The Government Mission may fairly be said to have had a thoroughly satisfactory press from start to finish. Credit for what, only yesterday, we all thought was a Congress-League agreement to go into a Constituent Assembly was unanimously awarded to the Commission and the comment of the *Herald Tribune* that this was "one of the few solid achievements which offer hope for a better world" was representative of most comment. Even from Chicago, the B.I.S. report: "There is no doubt that the turning point has come. No longer are we tempted to slink out to the men's

room when the conversation turns to India. The unanimity of the praise is embarrassing. The Tribune has been silent, proving that even their tortuous intellects have met defeat."

As usual, when the British appear to be behaving themselves, the tendency has been for India to drop out of the news and I have seen very little comment for the last month. It was rather interesting to find that our persistent critics, the *New Republic* and the *Nation*, could find nothing to say about India at all in three successive issues in June, but new developments from the Muslim League side will arouse interest. I have already today been rung up by the UP for comment on the League's withdrawal of acceptance of the long-term plan. Naturally I was at a loss and all I could say was that I presumed that the Viceroy would let the preparations for a Constituent Assembly go ahead. Any guidance you can give me will be valuable.

I have just had an interesting week out in the West in Wyoming, and enclose a copy of my diary.¹ When India was the subject set down for discussion, there was plenty of interest and rather more understanding than I would have expected. The same applies to Empire questions in general. But out of school, so as to speak, I did not find myself button-holed by enthusiastic seekers for knowledge about India, so I surmise that this part of America is not losing any sleep over Indian problems.

¹ Not printed.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&J/10/73: f 139

MOST IMMEDIATE

INDIA OFFICE, 30 July 1946, 7 pm

SECRET

No. 14035. I have seen texts of Moslem League resolutions¹ which seem to create novel and serious situation. I hope I may expect very early appreciation from you for my colleagues. It may be necessary for H.M.G. to issue some statement.

¹ See No. 86.

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Note by Field Marshal Viscount Wavell

Wavell Papers. Notes of Important Interviews, 1943-7, pp. 192-3

SECRET

HIS EXCELLENCY'S INTERVIEW WITH PANDIT JAWAHARLAL NEHRU
ON 30TH JULY 1946

1. I began by asking him about his visit to Kashmir. He said that it went off peacefully, but there was no great improvement in the situation in the country, and he thought the general attitude of the people was sullen and resentful. He hoped that the forthcoming elections, which would take place about the middle of October, would keep the people quiet and have a good effect. He did not see the Maharaja, he had endeavoured to fix an interview but the excuse was given that His Highness was not well, Nehru thought that it was possibly "political" illness.

2. I then said that the Resolution of the Muslim League¹ had changed the situation since we last met. I said that it was most unfortunate, but I thought that Nehru must recognise that what the League had done was partly reaction from the rather intemperate statements made by some of the Congress leaders since the meeting of the A.-I.C.C. in Bombay; I referred in particular to his own unguarded language in his interview with the Press after that meeting.² I said that it would be most unfortunate if we did not succeed in getting the Muslim League to join in the Constituent Assembly since obviously it would be impossible to frame a complete constitution without the Muslims. I said that Congress now had a chance of showing real statesmanship and of giving the Muslim League assurances that would bring them into the Constituent Assembly. Nehru said that he agreed that it would be most unfortunate if the Muslim League did not enter the Constituent Assembly, but he did not quite see what assurances could be given to them, they certainly could not be given an assurance of Pakistan. I said that the principal grievance of the League against Congress was that the statements of the Congress leaders made them believe that it was not intended to give the Group system, on the basis of which the Muslim League had agreed to join, a fair chance. I referred specially to the Congress reservations in their acceptance³ of the Statement of May 16th. Nehru said that the Muslim League had also made reservations. I pointed out that these were long-term reservations, on a possible Pakistan a number of years ahead; whereas the Congress reservations were short-term ones and affected the immediate issue.

Nehru then began on the legal interpretation of various articles and sentences

in the Statement of May 16th, such as have already been well ventilated. I said that I was neither a lawyer nor a politician but a plain man and I knew what the intentions were of the people who drew up this document, and it seemed to me to be pure casuistry to try and force different interpretations out of it. Nehru merely said that there were points in the document which would have to be interpreted, and that the Congress had intended to refer these to the Federal Court, not just to force them through by weight of votes.

3. He then asked what was going to be done about the Constituent Assembly now that the Muslim League had declined to participate. I said that obviously it was impossible to make a constitution for India without the participation of the Muslims. We were pledged to go ahead as far as possible with any party that accepted the Statement of May 16th, but that I did not see how, without the Muslims, we could get much farther than a constitution for the "A" Group Provinces. Nehru then said that the intention of Congress had been to form a Committee of all parties at the first meeting of the Constituent Assembly, to discuss the implications of the Central subjects, not to extend them, in order to give the groups some sort of basis on which to work. He instanced the matter of foreign loans, i.e., would Provinces be entitled to raise their own loans abroad independently, or would there be some general policy based on the credit of India as a whole.

4. Nehru went on to refer to the making of the American constitution. He said that if the British went there would be a vacuum which would have to be filled. We discussed the framing of the American constitution for a little, and he said that his point was that if it was clear that things were going to go ahead the Muslim League would be forced to come in and take part; the fatal thing would be if they were given to believe that they could hold matters up indefinitely by intransigence.

5. On the matter of the formation of an Interim Government, I said that I was still most anxious to form one as soon as possible, but that His Majesty's Government was quite clear that it was impossible to go beyond the assurances given in the letter of May 30th to Azad;⁴ and that there could be no question of an "independent" Government, whether the Muslim League took part in it or not. Nehru made no comment on this.

6. At the request of the Commander-in-Chief, I referred to the fact that there had been talk of the reinstatement in the army of I.N.A. men, when a new Government came into power. I said that there could be no question of such reinstatement so long as British power remained. Nehru said that he had not heard any talk of reinstatement of I.N.A. people, he realised the difficulty

¹ No. 86.² cf No. 16.³ Vol. VII, No. 603.⁴ Vol. VII, No. 409.

about officers, but what about the men. I said that the reinstatement of men was quite inadmissible. He said that there seemed to be a number who had no other means of livelihood, and he was afraid of their getting into bad hands; but I made it clear that their reinstatement could not be considered.

7. Nehru said that he was going to Allahabad tomorrow till about August 6th, then to Wardha for the Working Committee meeting, then to Bombay till about the middle of August for a committee on the Constituent Assembly. I said that I should like to see him as soon as possible after the meeting of the Working Committee.

The meeting lasted for about an hour and a quarter. Nehru was quite friendly, but appeared very subdued.⁵

W.—30-7-46

⁵ Lord Wavell sent Lord Pethick-Lawrence the substance of paras. 2, 3 and 7 of this note in tel. 1579-S of 30 July. R/3/1/116: ff 95-6.

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Field Marshal Viscount Wavell to all Governors

L/P&J/8/659: ff 3-5

SECRET

No. 1252/2

30 July 1946

My dear

I think I should send you the enclosed copy of an intercept of a letter from Nehru to Khan Sahib.

2. The question of what should be done where there are allegations of corruption was NOT discussed between Nehru and me. I presume that Governors will be always prepared to consider on their merits any proposals for investigation of charges of corruption against Secretary of State's officers; it is unlikely that these will have any connection with the incidents of 1942.

3. Nehru has implied that I went further than I did in accepting the suggestion that in extreme cases a member of the Services against whom there was very strong public feeling might retire. What I said was that if there were any such cases Governors would be prepared to discuss them with their Premiers.

4. I do not know whether Nehru wrote a letter on these lines to all Congress Premiers.

Yours sincerely,

WAVELL

Enclosure to No. 92

SECRET

Copy of a letter dated 22.7.46 from Jawaharlal Nehru, New Delhi, to
Dr Khan Sahib, Peshawar

As you know, there has been considerable feeling in Congress circles in regard to the events that took place in August 1942 and subsequently and the official repression that followed. There has been and is a strong popular demand for inquiry and punishment of officials and others who are found guilty of inhumane acts or any activity which normally civilised Governments do not indulge in. This matter is continually being raised in Provincial Congress Committees and among Congressmen and the public. Letters are appearing in the press and recently discussions have taken place in some Provincial Assemblies. I have no doubt that you have had to face this problem from day to day and have given it serious thought. I have been unhappy over the lack of action thus far. Yet I realised the many difficulties in the way and the undesirability of doing something which might distract us for the moment from other vital problems.

During the last year I had occasion to discuss this problem several times with the Viceroy. This was always at his instance. We expressed our opposing viewpoints to each other. My own viewpoint was that it was not our desire to punish as such any individual even though such punishment might have been richly deserved. Nor was it my desire to have roving inquiries into past events: but I told him that I have no doubt in my own mind from the facts placed before me that there have been numerous cases of inhuman conduct and extreme corruption on the part of many members of the services. Also it was undoubted that there was strong popular feeling on the subject. Because of this it was inevitable that our popular Assemblies should reflect this feeling and our Governments be influenced by it. Quite apart from the question of punishment, it was impossible for us to cooperate in Governmental or other work with persons who had been guilty of what we considered inhuman conduct or corruption. We did not desire to discredit any service as a whole or to break up the morale of a service. Nevertheless, even in the interest of morale both of the services and the public, it was necessary that *people against whom there was such evidence* and so much popular ill-will should be *removed from the service*. This was the general attitude I took up.

I have now had occasion to have *another talk with the Viceroy* on this subject.¹ I repeated what I have previously said. The Viceroy was anxious, for reasons which will be obvious to you, that *he should protect his services*. He said that any roving inquiry would be very undesirable and would lead to a great deal of bitterness. He admitted that much that was very wrong had been done by

¹ See No. 67, para. 3.

certain Government officials, just as, he added, the people had misbehaved greatly on their part. He appreciated, however, that there was popular feeling on this subject and it was difficult for an officer to continue in his place if there was some evidence of grave misconduct against him and popular ill-will. *Such an officer, he was of the opinion, might resign.*

In view of what I have said above, I suggest to you that you might approach this question in the following manner. There need not be any large-scale or public inquiry, but your Government might inquire into specific and flagrant cases which are well known. Such an inquiry can be private. Where your Government is satisfied that there is a *prima facie* case of extreme misconduct or corruption, you might take up this case with the Governor and arrange for the retirement from service of such person. It is obvious that a person against whom there is a great deal of popular ill-will should not continue in service. If this method is adopted, it should lead to the purification of the service as well as to soothing public sentiment which has been rightly excited over such matters.

I need not go into any greater detail, as you will, no doubt, know best how to proceed. I think that there should be no delay about this.

Of course, if you find that there is a very flagrant case of corruption, it is certainly open to you to take such other steps as you like. I am in no way suggesting a limitation of your discretion in such matters. What I have suggested is a quick, smooth, and relatively easy way of dealing with a matter which has long troubled us all.

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Notes by Field Marshal Viscount Wavell and Mr Abell

R/3/1/123: f 212

TOP SECRET

Note for P.S.V.

It seems to me that the only chance now of averting chaos in India is for H.M.G. to summon home both Congress and League and discuss the matter afresh. I think that if possible H.M.G. should be asked to form an all-Party body, including representatives of the Opposition, to deal with the matter. I suggest that H.M.G. invite home Nehru and Patel to represent Congress, and Jinnah and Liaquat Ali Khan (or another League representative if Jinnah prefers), and possibly a representative of the Sikhs. I think it would be dangerous to add Ambedkar to represent the non-Congress section of the Scheduled Castes, though the Opposition would doubtless wish it.

2. Whether or not to issue invitations now to the Constituent Assembly is rather a difficult problem. I feel I cannot consent to be a party to a Constituent

Assembly commissioned to decide the fate of the whole of India without one of the major parties. If the Congress had refused to come in, the intention was to go ahead with Groups "B" and "C" only; there was no suggestion that the Muslim League should decide the constitution for the Centre or for "A" Group. Similarly, therefore, now that the League have run out, we can presumably go ahead with "A" Group only for the time being.

3. I think we should get off a cable to the Secretary of State with the above conclusions as soon as possible. Whether either party in their present moods will accept an invitation to London is perhaps doubtful, but I believe it is the only chance.

WAVELL

30-7-1946

H E. reconsidered these plans and after seeing Nehru¹ sent off yesterday's telegram.² File.

G. E. B. A.

1.8.46

No 91. : No. 96.

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Cabinet

India and Burma Committee I.B. (46) 3rd Meeting

Those present at this Meeting held in Conference Room 'A', Cabinet Office, Great George Street, S.W. 1, on 31 July 1946 at 11.45 am were: Sir S. Cripps (in the Chair), Lord Pethick-Lawrence, Viscount Addison, the Earl of Listowel

Also present were: Mr A. Henderson, Sir Edward Bridges, Mr R. E. Field, Mr A. Dibdin, Mr F. F. Turnbull (for item 1); Mr C. G. Eastwood and Mr E. A. Armstrong

Minute 1

L/PEJ/10/73: f 129

Political situation in India

The Committee had before them a telegram No. 1579-S¹ of 30th July, 1946, from the Viceroy to the Secretary of State for India recording an interview between the Viceroy and Pandit Nehru. In this interview the effect on the Constituent Assembly of the resolution of the Muslim League² to go back on their former acceptance of the scheme put forward by the Cabinet Mission, and the question of formation of an interim government had been discussed.

¹ See No. 91, note 5. ² See No. 86.

The feeling of the Committee, after discussion, was that notwithstanding the refusal of the Muslim League to participate in the Constituent Assembly, that body should meet to carry out the purpose for which it was set up. His Majesty's Government had stated that a minority could not be permitted to hold up the progress of the majority, and the Cabinet Mission had undertaken to proceed with their proposals so far as circumstances permitted, with one party only if the other did not accept. As regards the question of the formation of an interim government, it was agreed that some positive action should be taken without delay, as otherwise the initiative might pass from His Majesty's Government. The postal strike and the threatened railway strike were symptoms of a serious situation which might rapidly deteriorate. The first step should be for the Viceroy to see Mr. Jinnah and put the straight question to him whether or not the Muslim League would co-operate in an interim government on the basis proposed in the Viceroy's letter of 22nd July.³ If Mr. Jinnah were willing to do so, it would be necessary for the Viceroy to seek Pandit Nehru's agreement to the Muslim League participating, since by the statement of 16th June, the interim government was to be confined to those who accepted the statement of 16th May, and the Muslim League had now withdrawn their acceptance of that statement. There were definite indications, notwithstanding Pandit Nehru's speeches, that important elements in Congress wanted an interim government in which the Muslim League would participate and were prepared to accept the basis which the Viceroy had proposed. If, however, Congress were not prepared to do so, it would be for consideration whether the leaders of the Congress Party and the Muslim League should be invited to this country for consultation. If Mr. Jinnah refused to participate in an interim government, the Viceroy should proceed to form an interim government without the Muslim League on the basis already proposed. He should see Pandit Nehru and ask him to name the Congress representatives and agree to discuss with him how the remaining seats should be filled.

The Committee:—

Invited the Secretary of State for India to convey to the Prime Minister the sense of the discussion and, if the Prime Minister agreed, to telegraph to the Viceroy accordingly.

Minute 2

L/S&G/7/263: f 72

Recruitment for the Indian Civil Service and the Indian Police

The Committee had before them a memorandum by the Secretary of State for India (I.B. (46) 26)⁴ on the question of recruitment for the Indian Civil Service and the Indian Police. It was stated that in accordance with the decision

of the War Cabinet of 9th June, 1944 (W.M. (44) 74th Conclusions, Minute 1)⁵ offers of appointment had been made to 73 European candidates, of whom 54 had been accepted, and the question was raised whether in the new situation these offers should be cancelled.

THE SECRETARY OF STATE FOR INDIA said that he had discussed the question with his Advisers who had a statutory position in the matter. They were of the opinion that recruitment of Europeans to the Indian Civil Service and Indian Police should be stopped. As regards the appointment of Indians, the view of his Advisers was that recruitment to the Secretary of State's Services should also cease, but that if any further Europeans were to be appointed an equal number of Indians should also be appointed.

The feeling of the Committee after discussion was that there was strong objection to continuing the recruitment of Europeans for the Secretary of State's Services as this would be likely to provoke much resentment in India. It would be desirable to withdraw the offers made to European candidates already accepted, with the explanation that this course had been rendered necessary by the new situation in India. At the same time every effort should be made to absorb these candidates in either the Home or Colonial Civil Services.

The Committee:—

Invited the Secretary of State for India to ascertain the views of the Viceroy, while representing to him that Ministers were strongly in favour of stopping recruitment, whether European or Indian, at once.

Minute 3

L/S&G/7/912: f 201

Proposed Compensation Scheme for Officers of the Indian Services appointed by the Secretary of State

The Committee had before them a memorandum by the Secretary of State for India (I.B. (46) 27)⁶ regarding a scheme of compensation to officers appointed to the Indian Services by the Secretary of State, on account of loss of rights which would result from impending constitutional changes. Undertakings had been given that compensation would be paid and that officers would be given terms "not less favourable, considered as a whole, than those applicable to new entrants". Scales of compensation had been worked out by the Government of India and by the Government Actuary. It was proposed that the maximum sum to be paid to any individual should be in the neighbourhood of £10,000. The Secretary of State for India now sought the concurrence of his colleagues to an examination of the Actuary's scheme in detail

¹ No. 63.

⁴ No. 77.

⁵ Vol. IV, No. 532.

⁶ R/30/1/8: ff 13-17.

with his Advisers and a representative of the Treasury, and to its submission to the Government of India.

THE SECRETARY OF STATE FOR INDIA said that he had discussed with his Advisers the question whether officers who remained in employment under a new Indian Government should receive the same treatment in regard to the grant of compensation as officers who left the service. They were divided in their opinion, some of them thinking that officers who remained under the new Indian Governments should have their compensation adjusted according to the length of time they continued to serve under a new Indian Government; while others felt that they should receive the same compensation as those who left the service. He himself felt that there was no escape from the position that the same compensation should be given to officers who stayed on as to those who left. A pledge had been given and His Majesty's Government had really very little latitude in the matter.

[At this point the Secretary of State for Dominion Affairs left the meeting.]

SIR EDWARD BRIDGES said that the pledge had been made without reference to the Treasury. The Chancellor of the Exchequer felt very strongly that the Government of India should meet this obligation from Indian revenues. He had no authority from the Chancellor to say that if India would not accept the responsibility, the Treasury would take it over. He noted that, as a result of the decision already taken to stop recruitment to the Secretary of State's Services, there would be no question of paying compensation for loss of office to new recruits.

The view of the Committee on this point was that as a pledge had been given, it must be honoured, and that the question whether, if the Government of India declined to accept the liability, it should fall upon the Exchequer, should be discussed by the Secretary of State for India with the Chancellor of the Exchequer. It might be necessary for the matter to be taken to the Cabinet.

The Committee:—

Invited the Secretary of State for India, as a first step, to discuss the matter further with the Chancellor of the Exchequer.

[Minute 4, on recruitment for the Burma Services, omitted.]

Minute 5

L/S&G/7/904: f 74

Protection of the Services in India

THE SECRETARY OF STATE FOR INDIA said that the Viceroy had raised the question of the disposal of officers of the Indian Services who had incurred the hostility of the Congress Party and who might suffer on that account when

India achieved self-government. The Viceroy proposed that these officers should be allowed to retire and receive compensation on an agreed basis.⁷ The Secretary of State thought that the cases of officers who were known to be unacceptable to Congress should be considered with the Governors of the Provinces and that in extreme cases it might be necessary to allow them to go at once. But he would find it difficult to justify their ultimate receipt of full compensation which in ordinary cases would not be given to those retiring voluntarily on 1st January, 1947, and was only to be given to others a considerable time later when constitutional changes had actually taken place. He proposed to telegraph to the Viceroy accordingly.

After a short discussion, the Committee:—

Invited the Secretary of State for India to send a telegram to the Viceroy as he proposed.

⁷ See No. 23.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/132: f 153

IMPORTANT
CONFIDENTIAL

NEW DELHI, 31 July 1946, 5.30 pm
Received: 31 July, 5.40 pm

No. 1582-S. Your 13667 of 24th July.¹ Jenkins whom I consulted has suggested that Prime Minister's letter to Baldev Singh should be altered to say that while the statement of 16th May cannot be changed "there would be no repeat no objection to a separate statement defining the position of Sikhs in the Constituent Assembly provided Presidents of Congress and Muslim League agreed to it, and Viceroy is very ready to discuss the matter with them".

2. If either or both of the main parties ultimately offer assurances to the Sikhs, they will probably wish to announce them themselves and I do not think a statement by the Viceroy, even based on the agreement of the parties, should be held out as a possibility.

3. The draft letter will need minor amendments in view of recent Muslim League resolution² not to take part in the Constituent Assembly but I accept it in substance.³

¹ No. 74. ² No. 86.

³ Mr Attlee's letter to Sardar Baldev Singh, which issued on 7 August 1946, was the same as the draft in No. 74 except that the second sentence of the final para read: 'At the same time the Viceroy is very ready to discuss the position with the President of the Congress, and he would have been prepared to do likewise with the President of the Muslim League had not the League decided to withdraw their acceptance of the Statement of May 16.' The alteration proposed by Sir E. Jenkins was not made. Mountbatten Papers, Official Correspondence Files, Sikh Problem, Part 1 (a): f 2.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/116: ff 98-100

MOST IMMEDIATE
SECRET

NEW DELHI, 31 July 1946, 8.25 pm
Received: 31 July, 5 pm

No. 1583-S. Your 14035 of 30th July.¹ Muslim League resolution.² I sent you yesterday account of interview with Nehru indicating my first reaction.³

2. League resolution will certainly increase communal tension in the towns which is already bad. Widespread labour trouble exists also and general situation is most unsatisfactory.

3. Labour trouble is partly due to double policy of Congress. Right wing plan seems to be to secure power by constitutional means. Left wing believe in revolution. General idea of Congress High Command seems to be to encourage both plans, second being reserve against failure of first. Nehru was probably elected President because he has the best chance of keeping a foot in each camp, though having no balance he will usually be on one leg and never on the same one for long.

4. The most urgent need is for a Central Government with popular support. If Congress will take responsibility they will realise that firm control of unruly elements is necessary and they may put down the Communists and try to curb their own left wing. Also I should hope to keep them so busy with administration that they had much less time for politics.

5. I must therefore continue efforts to secure interim Government and have made it clear to Nehru that I will do so. Places must be kept for the Muslim League and though I have not yet made up my mind about this I am inclined to think best plan might be not to fill them with non-League Muslims, but simply to leave them vacant. Council would be of about present size, including one Indian Christian and one Anglo-Indian nominated by me. Place would be kept for the Sikhs. Commander-in-Chief would remain as War Member. I should have to exercise my powers to protect the Muslims if necessary; and it is clearly essential that we should not go beyond assurances given to Azad in letter dated 30th May.⁴

6. If Congress will not come in on these terms the caretaker Government will have to govern firmly even at the risk of a clash with left wing elements in the Congress. In the provinces the Governors may find themselves compelled to take over under Section 93 because unless Congress participate at the Centre

provincial Congress Ministries will almost certainly shirk their responsibilities for keeping order. I realise that H.M.G. intensely dislike this possibility but the country cannot be allowed to lapse into chaos while we are in charge.

7. In the letter of 4th June to Jinnah⁵ there is a commitment that we will go ahead with the long-term plan with either party so far as circumstances permit. I have told Nehru⁶ that I cannot see the Constituent Assembly getting beyond the group and the provincial constitutions for section A in the absence of the League. Constitution making for the Muslim majority provinces would obviously be a farce. But unless I am asked by Congress to postpone the summoning of the Constituent Assembly I think I should summon it as arranged for the first week of September.

8. Though situation is undeniably serious it is possible to take too tragic a view of the League decision. Jinnah seems unlikely at present to call out his League Ministries; he has few lieutenants who are willing or able to run a mass movement and no ready-made organisation. If we could secure a situation in which the Congress and the League are compelled to negotiate direct it may be all to the good. On the other hand a *Jehad* would be a very serious matter and the Palestine announcement⁷ comes at an extremely awkward time for us.

9. I dislike intensely the idea of having an interim Government dominated by one party but I feel that I must try to get the Congress in as soon as possible. The Congress might then recognise the necessity of direct negotiation with Jinnah and ask me to postpone the Constituent Assembly, until some arrangement had been reached. A factor which might impel them in this direction is the unwillingness of the States (already indicated by Bhopal to my Political Adviser) to negotiate with a Constituent Assembly in which one of the main parties is not represented.

10. Above appreciation is necessarily subject to rapid change in this country of irresponsible politicians and excitable people, whose reactions it is always difficult to predict, but represents my present views. It may be necessary for me to come home soon for discussions but I do not think the time is just yet.

¹ No. 90.

² No. 86.

³ See No. 91 and its note 5.

⁴ Vol. VII, No. 409.

⁵ Vol. VII, No. 446.

⁶ See No. 91.

⁷ An announcement had been made in Parliament that day giving the outcome of an examination of the recommendations of the Anglo-American Committee of Enquiry on Palestine which had been made by representatives of the British and American Governments. The representatives proposed the division of Palestine into four areas including a Jewish Province and an Arab Province. They also accepted the recommendation for the immediate admission of 100,000 European Jews with continuing immigration thereafter. See *Parl. Debts.*, 5th ser., H. of L., vol. 142, cols. 1150-63.

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Mr Jinnah to Field Marshal Viscount Wavell

R/3/1/116: ff 104a-104b

MOUNT PLEASANT ROAD, MALABAR HILL, BOMBAY, 31 July 1946

Dear Lord Wavell,

I am in receipt of your letter of 22nd July¹ and I notice that this is the fourth basis that you are suggesting for the formation of your Interim Government. From 5 : 5 : 2 you came to 5 : 5 : 3 and then to 5 : 5 : 4, as embodied in the Statement of the Cabinet Delegation and yourself dated the 16th June, 1946, which was announced by you as final. Now you are making this fourth proposal i.e. 6 : 5 : 3.

Every time the Congress turned down the previous three proposals as you were unable to appease them or propitiate them; and every time the departure was prejudicial to the League and in favour of the Congress.

And now you have put your fourth proposal for my consideration.

It gives a go by to all the important terms which were in favour of the Muslim League: the Congress will have six members out of 14 as against 5 members of the Muslim League which breaks straight away the principle of parity; and you are letting down the Scheduled Castes as one of them is proposed to be nominated by the Congress and not by the real spokesmen of the Scheduled Castes. I note that you say that five members will be nominated by the Muslim League. Next, three members of the minorities will be nominated by the Viceroy without reference to or any consultation with the Muslim League. The only indication that you have given is that one of these places will be kept for a Sikh.

Then you proceed on to say that "it will not be open either to the Congress or the Muslim League to object to names submitted by the other party, provided they are accepted by the Viceroy" and from this I gather that it will be open to the Congress to nominate a quisling Muslim.

As to the distribution of portfolios, I note you say that "the Congress and the Muslim League will have an equitable share of the most important portfolios", and not equal as it was originally proposed.

As to the assurance about safeguards i.e. that a major communal issue could only be decided by the consent of both the major parties, you say that it will be only considered if freely offered by the Congress, but you do not attach much importance to it and you conclude by saying that if the Interim Government does not work when formed on this basis and if we find conditions unsatisfactory, it will be open to us to withdraw. I believe in the principle "prevention is better than cure".

This is a very clear and substantial departure most detrimental to the Muslim League and is obviously intended to appease the Congress and devised primarily to meet their wishes.

Taking the final proposal of June 16, 1946, in your letter dated the 20th of June² you informed me that 14 members were invited by you on the basis of parity between Hindus and Muslims and communitywise and that it will not be changed without the agreement of the two major parties. Apart from the secret talks you had with the Congress you clearly conveyed to us that the invitees were asked to join specifically on the basis of 5 Hindus, 5 Muslims, one Sikh, one Scheduled Caste, one Christian and one Parsi. Your present proposal clearly destroys the principle of parity as well as representation according to communities and gives a clear majority to the Congress as against the Muslim League to start with. Further the Scheduled Caste will be nominated by the Congress, which in my opinion is most unjust to a community of 60 million people, who are groaning under the social and economic tyranny of the high Caste Hindus, whom alone the Congress really represents.

As regards representatives of other minorities, they will be nominated by you without reference to or any consultation with the Muslim League. This again is a departure from what you stated in your letter of the 20th June that "if any vacancy occurs among the seats at present allotted to the representatives of the minorities, I shall, naturally consult both the major parties before filling it." I think you will appreciate that when you start with 6 Congress and 5 Muslim League with a Congress majority, the minority representatives will hold a very strong position as a balancing element, who would be nominated by you without even consultation with the Muslim League and this is a serious departure from what we were assured of in your letter of the 20th of June.

You categorically state in your letter of 20th June paragraph 5 that "no decision on a major communal issue would be taken by the Interim Government if a majority of the representatives of either of the two major parties were opposed to it," whereas now in the present proposals you inform me that you will welcome a convention if freely offered by the Congress!

As you have written this letter to me and is strictly personal and secret I can only say that in my opinion there is no chance of my Working Committee accepting this proposal.

Yours sincerely,

M. A. JINNAH

¹ No. 63.

² Vol. VII, No. 573.

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*Field Marshal Viscount Wavell to Lord Pethick-Lawrence**L/PO/10/23*

PRIVATE AND SECRET

THE VICEROY'S HOUSE, NEW DELHI,

31 July 1946

Thank you for your letter of July 19th.¹ You will have seen the text of the speeches and resolutions² passed at the Bombay meeting of the Muslim League, and I dare say before you get this letter we shall have exchanged comments on them. It is a great pity that they felt compelled to take quite such a decisive line: I have [had] hope that there would have been some escape clause which would have allowed negotiations to continue, and the Muslim League members who had been elected to the Constituent Assembly to take their seats. As it is, although we are pledged to continue with the formation of an interim Government and to call the Constituent Assembly into being, I cannot think that either can be a success with the Muslim League standing aloof and liable to become at some stage actively hostile. I also doubt whether the Princes will be willing to set up their Negotiating Committee to talk to a purely Congress Constituent Assembly, indeed the Chancellor has already hinted as much; and with the Sikhs and Muslim League out, it will prove a poor version of what we all had hoped for. Evidence accumulates of the Congress reservations about going into it: Nehru has written to all Congress Premiers advising them to get the Speakers of their Provincial Assemblies to give letters of delegation to the various members elected from the Provinces (whether they are M.L.As. or not).³ This is, as he says, "to add to the solemnity of the procedure and emphasise the independence of the Constituent Assembly", in other words a step towards proclaiming it a sovereign body.

2. I have asked Jenkins to find out to what extent the Sikhs have seen the error of their ways and whether they now wish an opportunity to be given them for election to the Constituent Assembly. If he assures me that the majority of the Sikhs do want that, I shall then consult Nehru. There will be no use in consulting Jinnah as things stand now.

3. I saw Nehru yesterday⁴ and have telegraphed an account of my interview. I thought he was somewhat chastened by the effect which his intemperate speeches have produced on the Muslim League, though I am not at all certain that this will induce him to lead the Congress Working Committee in the right direction. The only real solution is of course for the Congress to take the generous attitude as the stronger party, and offer the League the assurances which it wants; but there is, as you know, a complete lack of greatness or generosity about India's political leaders, and I have no hope of this happening.

4. You will remember the kidnapping of Donald, the Political Agent in South Waziristan.⁵ It was necessary to advance to the Mahsuds, a sub-section of whom were responsible, a considerable amount of money, over a lakh of rupees, to effect the release of Donald and his party. We are now bringing pressure to bear on the sub-section responsible to recover both this amount and an additional sum as fine. It will probably be necessary to proscribe six villages by air action to enforce the terms, and I have authorised the Governor to do so. It is not likely that this will involve us in a larger commitment, as I am informed that the Mahsuds themselves expect retaliatory action and want the recovery made from the sub-section that is to blame; it is however possible that action by the very limited air force which we can dispose of at present may not be immediately effective; and this matter may drag on into the autumn. When the measures were planned, it was understood that there would be heavy bombers available in October which now appears improbable. The A.O.C.-in-C. is taking this up with the Air Ministry, but I should be grateful if you would lend your support. One squadron of Halifaxes is required.

5. I have sent you a letter from the Nawab of Bhopal, dated July 29th,⁶ in which he asks for an assurance of support from His Majesty's Government if reasonableness and a spirit of compromise do not prove sufficient to safeguard to the States the rights which they deem to be essential for their future. I imagine that he will be all the more reluctant to enter on any talks at all with a Constituent Assembly composed almost entirely of Congress members. I shall, however, telegraph my comments on this letter when I have had time to consult the Political Adviser.

6. Not content with Nehru's excursion to Kashmir, various Congress leaders have taken up the cause of civil liberties in Goa; and Gandhi has published a recent article about his conception of a free India, in the course of which he throws in the aside that the Portuguese and the French should surrender their possessions in India which they keep only by sufferance of His Majesty's Government. I trust this will not involve you in difficulties with Bevin.

7. The Posts and Telegraph Department strike situation gets no better. By and large, there is an improvement in the position as regards the Postal Department and a worsening as regards the Telegraphs. There is also a threat of a complete stoppage on August 3rd. The more responsible union leaders realise that they have now lost control in the big centres like Calcutta to the Communist elements, which is out to make hay while the sun shines. I think that a

¹ No. 55. ² See No. 86. ³ See No. 84. ⁴ See No. 91.

⁵ Major J. Donald and two of his party were kidnapped near Razmak on 22 June 1946. They were released on 2 July.

⁶ No. 85.

firm attitude on the part of Government, combined with a gradual turning of public opinion against the strike, will be sufficient to defeat it. Burrows, as an old strike leader, has said that he has no sympathy with the strikers, in view of the concessions which they have been granted; but he suggests that a face-saving device be found for the leaders to enable them to accept the Government offer. The possibility of doing something in this way has been examined, but it is doubtful whether the leaders themselves are now in a position to call it off. It is more likely just to peter out. The communist-dominated trade-union council of Calcutta called a one-day strike this week of all workers, including transport, in support of the postal strike; but this passed off almost entirely peacefully, which is very creditable to the local administration.

8. Political and general forecast for August; Outlook unpromising.

99

Mr Abell to Mr Turnbull

L/P&J/10/45: ff 83, 87

No. 125/54

THE VICEROY'S HOUSE, NEW DELHI,
31 July 1946

My dear Frank,

H.E. asks me to draw special attention to paragraph 6 of the Governor of the U.P.'s letter No. U.P.—30 of the 27th July, of which a copy is sent in this bag.¹ H.E., as the Secretary of State knows, fully shares the Governor's uneasiness about the present situation.

2. H.E. also wishes to draw attention to the views of the Governor of the C.P. who, in his letter No. R24/GCP of the 27th July,² suggests that if in the last resort HMG will not implement a policy of the maintenance of law and order it is wrong to saddle a handful of British officers with the responsibility.

Yours sincerely,

G. E. B. ABELL

Enclosure to No. 99 (Extract)

Sir F. Wylie (United Provinces) to Field Marshal Viscount Wavell

SECRET

27 July 1946

No. U.P. 30

6. We have sent copies of the official fortnightly reports regularly to your Private Secretary. They make, I am afraid, very depressing reading even as

bowdlerised and touched up by Pant. Our general position is I feel deteriorating. More particularly since the Cabinet Mission went back to England. While they were here and while hope of a settlement of the constitutional issue was still possible, things definitely improved. Now that they are gone and that the public has grown despondent about the possibility of a settlement, the situation is deteriorating in rather an alarming way. This strike business, for instance, is most unsettling. Last night I got from our Secretariat clerks a manifesto to the effect that while the Congress Ministers had done themselves very well indeed, they had done nothing at all for their secretarial servants. Unless certain specified demands were met, the clerks went on, they would be compelled to consider the whole situation and perhaps take drastic action. Yesterday too a letter came in from the Superintendent of Police at Allahabad, of which I think I had better let you have a copy.³ As you will see, he reports that the Communists (?) are getting at our police. With all this strike fever about, it would be too much to expect that the police would remain totally unaffected, and if our police—whose record hitherto has been first class—go bad on us, we shall have to take very serious thought indeed. I spoke to Pant some time back about communal organisations, the Rashtriya Swayam Sevak Sangh and the Muslim National Guard. I told him that there was a whirlwind coming which somebody would have to reap. It probably wouldn't be me, for I would be gone. The blast when it came would fall on him or somebody like him. Could he not do something to restore respect for the law? I got nothing out of him of course. He is not strong enough or perhaps the whole thing is a plot, so to weaken the administration that it cannot be restored without blood letting. I have seen a secret report recently to the effect that the difference of opinion between the right and left wings of the Congress at Bombay was a put up show and that the Right wing of the Congress is playing with us while the left wing prepares for the show down. It is impossible to say. What I do feel however is that drifting along as we are at present is very dangerous. Steady and responsible officers here are getting concerned—more concerned than I have yet seen them. What they feel—and I agree with them—is that there must be some decision about our policy very soon. If we are going to suppress a movement, we should be putting our house in a good deal better order than it is at present when we have hostages all over the place. If we are not going to suppress a movement on the other hand, we simply must start getting our people out. I know well enough the difficulty of deciding on a policy of either sort. It would be a shocking lapse, however, if we allowed ourselves to drift into a really confused situation not having made up our minds definitely about anything at all! I still hold to the view—though not so confidently as before—that in this Province we can deal with anything that may be coming to us. It must come soon, however, if we are to succeed with it. A few more months

¹ See Enclosure.² See No. 80.³ Not printed.

of the present drift and I shall become very doubtful indeed. The maddening thing is of course that in India the seemingly impossible can readily happen. There is enough material in the present situation for not one but several revolutions. And yet nothing desperate may happen at all!

100

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/PEJ/10/73: ff 136-7

MOST IMMEDIATE

INDIA OFFICE, 31 July 1946, 6 pm

SECRET

Received: 1 August, 2 am

14078. Your telegram 1579-S of 30th July.¹

My colleagues and I have considered Muslim League resolution² and your telegram under reference. We have also consulted Prime Minister by telephone.

2. We feel that there are great dangers in our losing the initiative at this stage, and that it is impossible to allow Jinnah's non-cooperation to hold up progress with formation of an interim Government.

3. We therefore wish you to see Jinnah as soon as possible and press him even now to allow members of Muslim League to enter Interim Government on the basis you have proposed. If there is any prospect of his agreeing you will have to explain to him that this will require Congress agreement in view of reversal by Muslim League of their acceptance of long term plan.

4. If Jinnah should say that he would be willing to come in you would then have to put it to Nehru that, even though League are no longer acceptors of Statement of May 16th, it is of overwhelming importance to have them in Interim Government and seek his agreement to proceed on that basis.

5. Attitude taken up by League clearly creates a most dangerous situation. But we cannot allow ourselves to get into position in which Muslim League and Congress are both in opposition and Government has to be carried on by officials indefinitely. I shall be sending you a further telegram after consultation with full Cabinet tomorrow as to further course of action to be taken if Jinnah declines to come into interim Government or to allow members of Muslim League to participate in any way in work of Constituent Assembly.

¹ See No. 91, note 5

² No. 86.

IOI

Cabinet Paper C.P. (46) 315

L/PEJ/10/73: ff 119-26

INDIA: POLITICAL SITUATION

MEMORANDUM BY THE SECRETARY OF STATE FOR INDIA

INDIA OFFICE, 31 July 1946

By direction of the Prime Minister I circulate for the consideration of the Cabinet a draft telegram to the Viceroy (Annexure III) regarding the policy to be adopted in the light of the withdrawal by the Muslim League of their acceptance of the Cabinet Mission's Statement and of the Viceroy's interview with Nehru reported in telegram No. 1579-S (Annexure I). The position was discussed in the India and Burma Committee today¹ and the draft is generally on the lines there agreed upon.

2. The operative part of the Muslim League's resolution of 29th July is as follows:—

[There follows the text of the last para. of Resolution 1 in No. 86]

While this does not finally close the door on cooperation by the Muslim League in the Constituent Assembly if new assurances were forthcoming that it would be worked in a spirit of cooperation by Congress and in accordance with the intentions of the Cabinet Mission, it clearly makes it virtually impossible unless such assurances are forthcoming. It will be seen from the Viceroy's recent interview with Nehru that he did not respond to a suggestion that the Congress should give some assurance to the Muslim League. On the contrary he indicated the intention of Congress to have the Statement of 16th May interpreted by the Federal Court and to set up a Committee to discuss the implications of the Union subjects. Neither of these propositions is likely to produce a modification of the Muslim League position.

3. As regards the Interim Government, Mr. Jinnah in his speech to the Muslim League Council again reiterated that the Muslim League could not agree to a Muslim being nominated by the Congress to the Executive Council. It is therefore unlikely that he can now be induced to accept the proposition which the Viceroy has put to both parties for an Interim Government consisting of six members nominated by Congress, five nominated by the Muslim League, and three Minority representatives, on the basis that either party can nominate anyone irrespective of community.

¹ See No. 94, Minute 1.

4. The India and Burma Committee felt that notwithstanding Muslim abstention we must proceed both with the Constituent Assembly and with the Interim Government, if necessary without the Muslim League. After consultation with the Prime Minister by telephone a telegram (Annexure II) was sent to the Viceroy today asking him to see Mr. Jinnah and endeavour once more to induce him to come into the Interim Government on the proposed basis. The view of the India and Burma Committee was that if Mr. Jinnah declined the Viceroy should send for Pandit Nehru and form an Interim Government with the Congress and Minority representatives, filling the Muslim seats with Muslims chosen after discussion with Pandit Nehru. The draft is in accordance with this decision.

5. As regards the Constituent Assembly, the India and Burma Committee felt, and I agree, that we are virtually bound to convene it and allow it to proceed without the Muslim League if they will not come. In the course of the negotiations in Delhi Mr. Jinnah asked for and received an assurance in the following terms:—²

“We (the Cabinet Mission and the Viceroy) do not propose to make any discrimination in the treatment of either party and we shall go ahead with the plan laid down in the Statement (of May 16th) so far as circumstances permit if either party accepts, but we hope that both will accept”.

This assurance has since been published. Apart from this it was stated by the Prime Minister in the House of Commons on the 15th March³ that we could not allow a minority to stand in the way of the progress of the majority.

6. The decision to proceed without the Muslim League is undoubtedly a grave one but I can see no practicable alternative. We cannot carry on for any length of time with an official Government without serious trouble, both economic and political. On the other hand, the Muslim League are threatening direct action at some future unspecified date if circumstances require it and they might regard either or both of the steps now proposed as providing the occasion for it. If the Constituent Assembly meets without the Muslim League there appears to be nothing to prevent a decision being taken within the terms of the Statement of May 16th which would make it unnecessary for Provincial representatives to meet in sections. Paragraph 19 which lays down this procedure can be varied if a majority of both communities are in agreement. As a majority of the Muslim representatives would, in the absence of the Muslim League, be pro-Congress Muslims such a decision is not impossible. The result would be that the Provincial constitutions of the Muslim Provinces would be framed by a predominantly Hindu body and the possibility of Groups being formed would be very faint indeed. Further, the Viceroy would have an Interim Government containing a large Congress majority and it would be

exceedingly difficult for him to resist any decision which it took. We must not disguise the fact that if the Muslims were to resort to violence we should inevitably be involved in supporting a predominantly Congress Government in putting down the disturbances.

Annexure I to No. 101

CYPHER TELEGRAM FROM VICEROY DATED 30TH JULY, 1946

No. 1579-S

[*Not printed; see No. 91, note 5.*]

Annexure II to No. 101

CYPHER TELEGRAM FROM SECRETARY OF STATE TO VICEROY DATED
31ST JULY, 1946

[*There follows the text of No. 100*]

Annexure III to No. 101

DRAFT TELEGRAM

From: Secretary of State,

To: Viceroy.

IMMEDIATE

Your telegram 1579-S and my reply No. 14078 dated 31st July.

2. Cabinet have considered today (Prime Minister returned from Paris to preside).

3. We cannot of course feel any great hope that Jinnah will after attitude adopted at Bombay be likely to come into Interim Government on conditions you have proposed and we have therefore given consideration to general line of policy to be adopted assuming that Jinnah cannot be induced to come into an Interim Government and is intending, as we assume from resolution, to direct Muslim League representatives to stay away from Constituent Assembly.

4. As regards Constituent Assembly it seems to us that we are bound to convene it and let it proceed without Muslim League if they do not attend in view of assurance given in your letter of 4th June to Jinnah which has been published that if one party accepted long term plan we would proceed with it with them as far as circumstances permit. But clearly if Muslim League were

² See Vol. VII, No. 446.

³ See *Parl. Debs.*, 5th ser., H. of C., vol. 420, col. 1422.

absent whole procedure for meeting in sections might be varied without departure from terms of statement since majority of Muslims attending would be supporters of Congress.

5. If as a result of your interview with Jinnah it becomes clear that Muslim League will not come in on basis proposed in your letter of 22nd July⁴ we consider we must proceed to form an Interim Government without Muslim League and we think that you should send for Nehru and say that as the Muslim League are unlikely to cooperate on basis of your letter of 22nd July to him and to Jinnah, you wish to form an Interim Government in consultation with him on the same general basis as you have already proposed. You would ask him to nominate the six Congress members. As regards the five places reserved hitherto for the Muslim League we suggest you should say that you consider that they must be filled by Muslims but would discuss the names with him, and would also discuss with him the names for the three minority seats.

6. No doubt it would be necessary in these circumstances to include one or two Nationalist Muslims in Muslim quota. But we think you should try to secure three and if possible four independent Muslims and we should not exclude officials such as Hydari if you cannot get independent Muslim politicians.

7. We recognise of course the dangers of this step but it seems to us out of the question to continue with an official Government and that only a Government with wide popular support can hope to deal effectively with the strikes and other economic difficulties which are now threatened.

⁴ No 63.

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Field Marshal Viscount Wavell to Mr Attlee

R/30/1/8a: ff 52-4

PERSONAL

THE VICEROY'S HOUSE, NEW DELHI,
1 August 1946

My dear Prime Minister,

Thank you for your letter of July 22.¹ I am very sorry that we failed to form an Interim Government, since failure in that direction has, as I feared, re-acted badly on the general situation; and the prospects of the Constituent Assembly are not bright at the moment, it cannot get very far without the Muslims. I think the Congress realise this, and Nehru was very subdued when I saw him lately.

It is quite true that the present political leaders in India are, as you say, entirely ignorant of the working of Government institutions and have no experience of administration. I have tried hard to persuade them that a Government cannot be run on a system of majority voting, and that real communal issues do not often arise in practical administration. It is of course unfortunate that the Government of India Act lays down that the decisions of Council are taken by majority voting.

I agree also that I have little personal experience of the working of the Parliamentary system at home, but I doubt whether this is as serious a handicap as you seem to imply. I have now had over five years experience as a member of the Government of India, two years of which were under an experienced administrator and politician in Linlithgow. I have also seen a certain amount of political dealing in the Middle East, in Egypt, Palestine and Iraq, in 1919-20, 1937-8, and 1940-41. I do not lay claim to any great measure of political wisdom but I do know something now of politics and politicians in India and the East. I do not feel the need of an intermediary in dealing with politicians and very much prefer dealing direct. If I may be frank, I think that the late Cabinet Mission had too many unofficial advisers and indirect contacts.

I feel that the suggestion has probably been made to you that I see no-one except officials and take no advice except from them. I do not think that this impression is correct or fair to the officials. I see a good many unofficial persons of all types, as also do my advisers. I think the idea of the I.C.S. which some people seem to have, as a rather hodgepodge and reactionary set of administrators, is out of date, if it ever was correct. We are certainly all united now in trying to give India her freedom on the best possible terms for her. As to Maurice Gwyer, I know him well and appreciate his great abilities; but, as I told Pethick-Lawrence, I should find it difficult to make a permanent place for him on my staff, nor do I think it necessary. I can always obtain his views on any particular point if I need them. But on the general government of India I would sooner trust my own judgement than Gwyer's. I think India's troubles at present are due mainly to the fact that her leaders view politics purely from the party angle; and that what is really required is a great deal more commonsense, good administration and firm guidance.

I appreciate, however, that you and H.M.G. may feel that you would rather have a politician than a soldier at the head of India at present; and if you wish to recommend to His Majesty to make a change, I shall of course accept your decision without any question. I took up my present position as a war appointment, since the then Prime Minister judged, rightly or wrongly, that it was where I could best serve the war effort. I have no personal ambition, I have already reached a position far above my expectations or merits, and I have no

desire except to serve the State to the best of my ability. But as long as I do so, I think I must be allowed to exercise my own judgement in the matter of the advice I give to H.M.G. I do not believe it has been so very far wrong up to date.

May I say how much I realise the many problems and difficulties that confront you in this period, and admire the courage with which you are facing them.

Yours sincerely,
WAVELL

103

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/116: f 105

MOST IMMEDIATE
SECRET

NEW DELHI, 1 August 1946, 11 35 am
Received: 1 August, 9.40 am

No. 1587-S. Political Situation. Your 14078 of yesterday¹ has crossed my 1583-S.²

2. Please tell Cabinet that I am sure it would not be advisable to send for Jinnah immediately. We have some chance of using the present situation to good effect if we can put responsibility for satisfying League on Congress. If I send for Jinnah at once it will be regarded as a panicky reaction to a threat and will put up Jinnah's stock and increase his intransigence. Also I can hardly disregard at once the commitment to form a Government as representative as possible of those who accept the Statement of May 16th. I should propose to leave Jinnah alone for the moment.

3. You will by now have received my telegram 1583-S and I will await your reactions to that before advising further.

4. You have been sent full A.P.I. report of Jinnah's Press Conference yesterday.³ There is no indication of any immediate attempt at a mass movement.

¹ No. 100.

² No. 96.

³ See L/P&J/10/73: ff 107-10.

104

Cabinet C.M. (46) 76th Conclusions, Minute 8

R/30/1/8: ff 32-3

Those present at this Meeting held at 10 Downing Street, S.W. 1, on 1 August 1946 at 10 am were: Mr Attlee (in the Chair), Mr Herbert Morrison, Mr Arthur Greenwood, Mr Hugh Dalton, Sir Stafford Cripps, Lord Jowitt, Mr J. Chuter Ede, Viscount Addison, Lord Pethick-Lawrence, Mr G. H. Hall, Mr. J. J. Lawson, Mr J. Westwood, Mr G. A. Isaacs, Mr E. Shinwell, Miss Ellen Wilkinson, Mr Aneurin Bevan, Mr T. Williams

Also present during discussion of item 8 were The Earl of Listowel, Mr P. J. Noel-Baker, Sir Orme Sargent

INDIA

Constitutional Position

(Previous Reference: C.M. (46) 69th Conclusions, Minute 3)¹

The Cabinet had before them a memorandum by the Secretary of State for India (C.P. (46) 315)² regarding the position resulting from the withdrawal by the Muslim League of their acceptance of the Cabinet Mission's statement and from a subsequent interview between the Viceroy and Pandit Nehru. After discussion at the India and Burma Committee and consultation with the Prime Minister, a telegram³ (Annex II to C.P. (46) 315) had been sent to the Viceroy stating that it was impossible to allow Mr. Jinnah's non-co-operation to hold up progress with the formation of an Interim Government. The telegram had proposed that the next step should be for the Viceroy to see Mr. Jinnah and endeavour to persuade him, even now, to allow members of the Muslim League to enter the proposed Interim Government. The Secretary of State for India now proposed that a further telegram (Annex III to C.P. (46) 315) should be sent to the Viceroy indicating the policy which he should adopt if Mr. Jinnah was unwilling to co-operate in the formation of an Interim Government.

THE SECRETARY OF STATE FOR INDIA reported that since C.P. (46) 315 had been circulated a telegram⁴ had been received from the Viceroy to the effect that he was sure it would not be advisable for him to see Mr. Jinnah immediately. The Viceroy wished to put on Congress the responsibility for any attempt to satisfy the League.

In discussion there was general agreement that, if the Muslim League were unwilling to come in, it would be necessary to proceed with the formation of an Interim Government with Congress only. The Cabinet also took the view

¹ No. 45.

² No. 101.

³ No. 100.

⁴ No. 103.

that the Viceroy should not be further pressed to see Mr. Jinnah and that he should be left to decide in the light of his local knowledge of the situation whether the places in the Interim Government, to which it had been proposed to appoint representatives of the Muslim League, should or should not be filled by other Muslims.

The Cabinet—

Invited the Secretary of State for India to send a telegram to the Viceroy on the lines agreed in the discussion.

105

Mr Attlee to Dr Ambedkar

Attlee Papers. University College, Oxford

PARIS, 1 August 1946

My dear Ambedkar,

I have carefully considered your letter of July 1st and the papers enclosed.¹

I am afraid that I cannot accept the view that the Cabinet Mission and the Viceroy were unjust to the Scheduled Castes. The reason why they have revised the policy followed at the Simla Conference of 1945 is, as you suggest, the result of the elections to the Provincial Legislatures which were held last spring. The Mission made a careful study of the voting figures and I have examined them myself. We appreciate that there are grounds for the view that the present electoral system does not do justice to those Scheduled Caste candidates who are opposed to Congress. On the other hand, I do not find that the figures substantiate what you say about the achievements of candidates belonging to your Federation at the primary elections.² While I do not propose to go into the matter in detail here the facts are that primary elections were held in only 43 of the 151 seats reserved for the Scheduled Castes. Of these 43 primary elections, the Scheduled Castes Federation contested 22 and topped the poll in only 13.

In your letter you make three specific requests.³ As regards the first, His Majesty's Government are anxious that the Constituent Assembly should have the fullest possible freedom of action consistent with the terms of the Cabinet Mission's Statements of May 16th and May 25th. We ourselves of course consider the Scheduled Castes to be an important minority which should be represented on the Minority Advisory Committee. But the declaration for which you ask could not be confined to the Scheduled Castes and would have to be a statement of all the elements who we consider should be included as Minorities in the Advisory Committee. Even though it would be only an

expression of opinion on the part of His Majesty's Government, it would inevitably be interpreted as an attempt to interfere with the Assembly's freedom and as such would be likely to cause serious resentment. In these circumstances I cannot believe that such a declaration would be of value to the cause of the Scheduled Castes.

Turning to your second request, I do not find that my speech in the House of Commons on March 15th last contained the words which you attribute to me.⁴ What I said was "We are very mindful of the rights of minorities and minorities should be able to live free from fear." This remains the view of His Majesty's Government, which found expression in paragraph 4 of the Cabinet Mission's Statement of May 25th. I do not consider that His Majesty's Government would

¹ On 1 July Dr Ambedkar sent Mr Attlee a lengthy letter with which he enclosed copies of recent correspondence, a memorandum, a speech and some other items. Dr Ambedkar's letter was in continuation of a telegram he had sent Mr Attlee on 17 June and covered similar ground. The telegram read

'At time of last year's Simla Conference, Viceroy on my protest and with consent of Home Government promised increase Scheduled Castes' representation in Interim Government to two seats in Council of 14. I had demanded three. Compromise I accepted two. New proposals Interim Government announced yesterday give Scheduled Castes only one seat. This gross breach of solemn promise given after due deliberation. One seat most unfair. Mission is treating sixty million Untouchables as being equal to four millions Sikhs, three million Christians in matter of representation. Scheduled Caste nominee does not represent Scheduled Castes, is elected entirely by Hindu votes and is creature of Congress. Representation to Scheduled Castes Congressman is no representation to Scheduled Castes. It is representation to Congress. Cabinet Mission heaping upon Scheduled Castes one wrong after another, bent on sacrificing them with view appease Congress and destroying their independent position in public life country. Please intervene and redress wrong by directing Mission to give Scheduled Castes two seats to be filled by nominees of Federation which Mission knows alone represents Scheduled Castes. Scheduled Castes insist on two seats or none. To avoid misunderstanding of my motive I like state that I have no desire to be in Interim Government and will stand out. Am fighting for rights of Scheduled Castes. Hope there is some sense of justice left in British Government—Ambedkar'

L/P&J/10/50. ff 81-3 and Attlee Papers, University College, Oxford.

² In his letter of 1 July Dr Ambedkar wrote that: 'The results of the Primary Elections—wherever they took place in India—proved that the candidates put up by the Federation came to the top and those put up by the Congress went down to the bottom.' L/P&J/10/50 f 81.

³ These were

- (1) To state openly that His Majesty's Government holds that the Scheduled Castes are a minority within the meaning of paragraph 20 of the Cabinet Mission's statement.
- (2) That His Majesty's Government will see that satisfactory safeguards which will enable them to live free from the fear of the Majority are provided for the Scheduled Castes before it agrees to sign the Treaty for cessation of sovereignty.
- (3) That in the Interim Government the Scheduled Castes should have at least two representatives which should be the nominees of the Scheduled Castes Federation.

Ibid.: f 82.

⁴ Dr Ambedkar had noted that the Cabinet Mission had already made the point that there must be adequate provision for the protection of the minorities. His second request would be met if there were added to this statement the words: 'safeguards which will enable the Scheduled Castes to live free from the fear of the Majority.' These were words, Dr Ambedkar claimed, which Mr Attlee himself had used in his speech on 15 March. *Ibid.*

be wise to make at this stage any further pronouncement elaborating what was said in that paragraph.

Your final request is that in the Interim Government the Scheduled Castes should have at least 2 representatives who should be nominees of the Scheduled Castes Federation. I regret that I cannot hold out any hope of this being possible.

I was very glad to see that you had been elected to the Constituent Assembly.

C. R. A.

106

Mr Menon to Mr Turnbull

L/PEJ/10/62: ff 251-2

TOP SECRET

NEW DELHI, 1 August 1946

My dear Turnbull,

In continuation of my letter of the 25th July forwarding a copy of a letter from the Governor of Assam¹ containing the proceedings relating to the election of Assam representatives to the Constituent Assembly, I now forward for your information a copy of an intercepted letter² from Jawaharlal Nehru to Gopinath Bardoloi, Prime Minister of Assam.

Yours sincerely,

V. P. MENON

Enclosure to No. 106

TOP SECRET

INTELLIGENCE BUREAU, HOME DEPARTMENT

Below are extracts from a letter written by Jawaharlal Nehru to Gopinath Bardoloi, Prime Minister of Assam, on the subject of the resolution recently passed in the Assam Assembly regarding refusal to join sectional discussions on the subject of grouping:—

"I have read [in] the papers a brief summary of the resolution your Assembly has passed at your instance in regard to grouping. I have not seen the full text but I think I have seen enough of it to be able to form some opinion. I feel that you have rather mixed up Section with Grouping. It does not necessarily follow that you should boycott a Section. The two are entirely apart. A Section may definitely decide not to form a Group and yet may continue as a Section to consider Provincial Constitutions. Again it may be argued that within the Section, both for the purpose of grouping or for any other purpose, a Province cannot be overridden by others. Thus in making Provincial Constitutions the representatives of one Province need not be outvoted by others. These and many other questions arise and will have to be

determined by us and ultimately by the Constituent Assembly or the Chairman thereof.

In view of this it seems rather premature to direct your representatives not to go even to a Section meeting. Possibly that might be desirable, but certainly it cannot be said so definitely now, however much you might be opposed to grouping. I wanted to point this out to you immediately so that you may consider the situation and not find yourself suddenly faced by a difficulty of your own making. I feel that to decide against the Group was right and proper, but to bring in the Section was unnecessary."

¹ Enclosure to No. 44.

² Only extracts from Pandit Nehru's letter were enclosed.

107

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/S&G/7/904: ff 72-3

IMPORTANT

INDIA OFFICE, 1 August 1946, 10.50 pm

TOP SECRET

14185. Your telegrams 1484-S, 1489 and 1490 of the 18th July.¹ Service protection. It is a relief to know that the Prime Ministers of the U.P. and Bihar take quite a reasonable view, and I am very glad to learn from your 1538-S² that you have had a satisfactory talk with Nehru.

2. From our exchange of telegrams I think it is quite clear that you and we are agreed that any enquiry into malpractices must be on a strictly limited basis of cases on which there is prima facie evidence, and this Congress apparently accepts.

3. I agree that cases of officers who are known to be unacceptable to Congress should be considered with Governors and that in extreme cases it may even be necessary to allow them to proceed on leave soon. But I should find it difficult to justify their ultimate receipt of full compensation which in ordinary cases will not be given to those retiring voluntarily on January 1st, 1947 and will only be given to others a considerable time later when constitutional changes actually take place.

4. The reason why we deprecated approach to Provincial Ministries, as set out in paragraph 6 of your telegram 149-SC of 12th July,³ is that, in the event of Ministries agreeing, we might find ourselves committed to withdrawing Secretary of State's services from certain Provinces prematurely, and, in that

¹ See No. 46 and No. 55, note 5.

² See No. 67, note 1.

³ No. 23.

case, we should be left with a chaotic situation while still retaining constitutional responsibility for administration. Situation does not seem to us yet to have reached a point at which a step must be taken which would be likely to lead to so grave a result. But it may be that the rather summarised indication of what it is proposed to put to Provincial Ministries may have misled me as to what you contemplate as the immediate consequence of an affirmative answer by them.

108

Minutes by Mr Scott and Field Marshal Viscount Wavell

R/3/1/135 f 33

1-2 August 1946

Colin Reid, the correspondent of the *Daily Telegraph*, has just returned from attending the Muslim League session at Bombay. He had a private interview with Jinnah on Tuesday, 30th, the purport of which he has reported as follows:

(1) Jinnah is still very upset both at the interpretation of paragraph 8, and at the treatment which he says he received at the interview on the afternoon of the 25th June.¹ In his own words he said "he was bullied" when he attempted to oppose the interpretation placed by the Mission on paragraph 8. He also said that Mr. Alexander called [on] him subsequently and apologised for the conduct of his colleagues.²

(2) Reid asked Jinnah what he meant by direct action, to which Jinnah replied that there would be a mass illegal movement. In the text of the interview which Reid cabled to the *Daily Telegraph*, and showed Jinnah first, Jinnah altered "illegal" into "unconstitutional". He was not prepared to specify in any greater detail what this involved, and Reid said that he got the impression that they had not really worked out what they were going to do.

(3) One thing however which they did decide, and of which Reid was informed by Jinnah's Secretary after the last meeting of the Working Committee, was that there would be a universal Muslim *hartal* on Friday, 16th August, and mass meetings in every town and village, where the resolutions³ passed at Bombay would be explained to the people. This of course has possibilities of working up mass hysteria. It was also decided that on that date all Muslims, everywhere in India, would be told that they should not go to work.

(4) Reid asked Jinnah whether the Muslim League resolutions meant that the door was finally slammed. Jinnah avoided a direct answer to this, but Reid says that he definitely got the impression that the Muslim League would in no circumstances approach the Congress, but would not be averse to approaches being made to it by the Congress or by the British Government.

2. Reid says he was asked his opinion by a member of the Working Committee whether it would be worth while for Muslims to organize meetings in London and to send some of their Working Committee there. He declined to commit himself on this.

I. D. SCOTT

1.8.1946

Jinnah was bullied on June 25. It was a most deplorable interview. The S. of S. had promised not to say anything about Jinnah's letter⁴ as a cause of the break-down and then spent nearly quarter of an hour throwing it in his teeth in a most provocative way. It was this interview, I think, which by completely hurting Jinnah's vanity has been the cause of the trouble since.

The interview is interesting and shows that J. has no real idea what to do. Would it be a good thing for me to see Reid, I think it might.⁵

Vol. VII, No. 609. ² cf Vol. VII, No. 618. ³ No 86. ⁴ Vol. VII, No. 563.
A note by Mr Abell on the file reads: 'H.E. saw him on 3/8/46 at 12 noon.'

109

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/S&G/7/263: ff 66-8

IMPORTANT

INDIA OFFICE, 2 August 1946, 3.40 am

SECRET

No. 14186. Recruitment to war reserved vacancies in the Indian Civil Service (including Indian Political Service) and Indian Police.

2. I have now seen summary of Provincial Governments' replies to your enquiry on future European recruitment¹ and have also consulted my colleagues on the matter.

3. In view of the resentment which appointment of further Europeans to the I.C.S. and I.P. would be likely to provoke in India and of the fact that the reinforcement of I.C.S. and I.P. by European recruits likely to be forthcoming from the war reserved recruitment scheme would not substantially contribute to maintenance of efficiency of administrative machine during period before transfer of power in India, we are strongly of opinion that recruitment of Europeans for Secretary of State's services should cease forthwith, and that offers of appointment which have already been made to 73 European candidates under war reserved recruitment scheme should be cancelled, although this will

¹ See Vol. VII, No. 408 and its note 1.

necessitate grant of some degree of compensation in most cases, that is except insofar as we can provide for suitable alternative service elsewhere.

4. As regards recruitment of Indians you will probably agree that if recruitment of Europeans is abandoned there will be no case for appointment of any more Indians to Secretary of State's services. It might well be represented as unjustifiable to increase the number of Indians who will have a claim to compensation in respect of termination of their appointment under the Secretary of State when this comes about. The deficiencies of personnel might well be made good by appointment of Indians to services under the control of Governments in India on salaries and conditions of service laid down by them, possibly in consultation, where required, with yourself and the Interim Government. Such a change however could scarcely be made if recruitment of Europeans to Secretary of State's services were continued, as it would be argued that this involves racial discrimination. I presume that you will wish to consult Provincial Governments on this aspect of the matter and I should be glad if you would do so and telegraph your conclusions as soon as you can.

5. As selection process is less far advanced in India than in this country, need for very early decision is less in respect of Indian recruitment than it is in respect of European recruitment. But it is clearly undesirable that this should be delayed longer than can be avoided, and really urgent need for final decision in regard to European recruitment leads me to ask you to telegraph your views on that point as quickly as possible.

6. My immediately succeeding telegram² furnishes statement as to recruitment position here.

² Not printed.

II O

Lord Petthick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&J/10/73: ff 104-5

IMMEDIATE

INDIA OFFICE, 2 August 1946, 4.15 am

TOP SECRET

14197. Your telegrams 1583-S¹ and 1587-S² were considered by Cabinet this morning at which Prime Minister presided.³

2. We accept your view that it would not for the reasons you give be desirable to see Jinnah immediately as we proposed in our telegram 14078.⁴ Main reason for which we thought it desirable that you should see Jinnah was to ascertain whether there was any room left for negotiation. But from TIMES report today confirmed by full API report just received we see that he has made it clear at his Press Conference that there will be no immediate resort to unconstitutional methods and that he might still be prepared to negotiate.

3. We also agree that proposals in paragraph 5 of your telegram 1583-S should be put to Nehru. Cabinet leave it to you to decide whether to do so in the form that Muslim League places remain vacant. My own inclination would be strongly in favour of this course as a temporary expedient.

4. If Congress decline to come in on this basis we must consider the situation further. We cannot commit ourselves at this stage to an official Government at the Centre and Section 93 in the Provinces and we think that that might lead to a clash with more than the Congress Left Wing. You will remember that while we were in India all of us including the C.-in-C. and the Provincial Governors recognised that it would be impossible to carry on in the teeth of simultaneous opposition of both Muslim League and Congress.

5. As regards Constituent Assembly we agree with your view in paragraph 7 that unless Congress ask you to postpone it you should proceed to summon it as arranged for first week of September. We should hope that between now and then Congress might as you envisage in paragraph 9 of your telegram be prepared to give assurances to Jinnah as to its procedure which would enable Muslim League representatives to attend. As we understand it Jinnah has not yet instructed them not to do so. Might this negotiation between Congress and the League if it develops, not be extended to cover settlement of Interim Government as well?

6. We fully share your dislike of an Interim Government dominated by one party but we agree as to necessity for forming an Interim Government with popular support in view of the unsatisfactory general situation.

7. We agree with you that though time is not yet ripe it may become desirable for you to come over here for discussions later on.

No. 96.

² No. 103.

No. 104.

No. 100.

III

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

R/3/1/116: f 110

INDIA OFFICE, 2 August 1946

My dear Wavell,

Just a line to express to you my sympathy on recent events. With my own feelings to guide me I appreciate the anxiety they must be causing you.

On receipt of your telegram 1587-S¹ all my colleagues agreed at once that you were right in not specially seeking out Jinnah and thereby conveying to him the success of his threatening attitude.

¹ No. 103.

But the time may come when it may be wise to endeavour to get a more friendly reaction from him and we must then not let it slip.

Ever sincerely yours,

PETHICK-LAWRENCE

II 2

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/PEJ/10/62: f 292

SECRET

INDIA OFFICE, 3 August 1946, 1 pm

No. 14259. Your telegram 1573-S of 29th July.¹ Summoning of Constituent Assembly. I agree with the course you propose to adopt.

2. Assuming that Muslim League representatives in fact attend it seems very necessary that Nehru and Jinnah should come to some prior arrangement as to who is to be chosen provisional Chairman. Unless provisional Chairman is chosen by acclamation² at the outset someone will be needed to conduct the proceedings during the election of the provisional Chairman and this will present a difficulty. Suggestion that oldest member takes the chair provisionally seems a very reasonable basis for such an agreement but may it not be worth while suggesting to Nehru and Jinnah, possibly through Rau, that previous arrangement on this point is necessary?

3. I presume invitations to attend will actually be signed by Secretary of Constituent Assembly acting on your instructions. This might meet Nehru to some extent.

No. 83. ² 'acclamation' deciphered 'election'

II 3

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/112: ff 40-1

IMPORTANT

NEW DELHI, 3 August 1946, 5.15 pm

CONFIDENTIAL

No. 1605-P. Reference P.S.V.'s d. o. letter No. 592/45 dated the 31st July 1946.¹ I propose to send following reply to the Nawab of Bhopal's letter dated the 29th July:—²

Begins. I have received Your Highness' letter of the 29th July 1946 and have considered it carefully in consultation with the Secretary of State.

2. Your Highness first enquires what would be the attitude of Great Britain if the terms offered to the States by the Constituent Assembly were so unjust as to be wholly unacceptable. I regret that it is not possible for me to give a reply to this hypothetical question. I share Your Highness' earnest hope that the discussions now in progress will result in a satisfactory solution of India's constitutional problems, and we must not contemplate the possibility of failure. Indeed I am sure you and your brother Rulers will continue your present efforts until success has been achieved.

3. Your Highness next reiterates the request that any proposals in the Union Constituent Assembly or the future Union Legislature which raise a major issue affecting the States should require for their decision a majority of the representatives of States present and voting. As you know the Cabinet Mission and I were at pains to avoid in any way committing the States and to leave to them the negotiation of the terms on which they would take part in the deliberations of the Constituent Assembly. This was made clear by the Secretary of State in his recent speech in the House of Lords and is in accordance, I believe, with the wishes of Your Highness and the States generally. Your Highness will, I am sure, agree that for His Majesty's Government now to prescribe in advance conditions subject to which the States would join the Constituent Assembly or be represented in the Union Legislature would be inconsistent with this policy and would weaken the States Negotiating Committee in their discussions with representatives of British India. There is good reason to hope that satisfactory terms will be arranged and I trust that Your Highness will continue your efforts to achieve this objective. *Ends.*

I shall be grateful for your comments by telegram.

This letter forwarded No 85.

No 85.

II 4

Sir E. Jenkins (Punjab) to Field Marshal Viscount Wavell

R/3/1/132: f 161

SECRET

No. 620.

GOVERNOR'S CAMP, GURGAON, PUNJAB,

3 August 1946

Dear Lord Wavell,

Your Excellency's telegram of 1st August,¹ in which you enquire what the Sikh reactions are to the resolutions² passed by the Muslim League in Bombay, has been repeated to me on tour.

¹ R/3/1/132: f 156.

² No. 86.

2. It is always difficult to know what the Sikhs really think, since the community is riddled with personal factions and feuds. There is at present the added complication of the Gurdwara elections—no section of the community wishes to be less truculent and uncompromising than the rest.

3. Subject to these considerations, I believe that the effect of the Muslim League resolutions has been to bring the Sikhs into closer relations with the Congress. We know from Intelligence reports that when Nehru passed through Lahore on his way to Kashmir he was extremely rude to Partap Singh Kairon, and equally rude about Bhim Sen Sachar. He evidently attaches great importance to the four Sikh seats in the Constituent Assembly being filled, and the Nationalist Sikhs and some of the moderate Akalis, including Baldev Singh, are of the same view. According to Baldev Singh even the extremists admit that the situation has changed, but they have not yet made up their minds what to do. A deputation consisting of Giani Kartar Singh, Narinjan Singh Gill, Udham Singh Nagoke, and others is going to Wardha to discuss the situation with the Congress High Command and to obtain assurances regarding the Congress attitude to the Sikhs. Baldev Singh will fly to Bombay on 5th August and will fly back to Delhi on 8th August, arriving at Maiden's Hotel about noon on that date. He evidently hopes to keep in touch with the Sikh deputation.

4. The future is still very uncertain. The Congress will presumably press for the summoning of the Constituent Assembly and for the formation of an Interim Government without the League, and are naturally anxious that the Sikhs should be closely associated with them. The chances are that the Sikhs will in the end align themselves with the Congress, if only to strengthen their immediate position in the Punjab. As I have seen no Sikhs recently, except a few not very representative Jagirdars of Karnal, I have no first hand information and can go only on Intelligence reports and general impressions. For the moment the idea of a big Sikh *Morcha* holds the field and, as I said in my last fortnightly report, a big Sikh meeting has been called for 22nd September.

Yours sincerely,

E. M. JENKINS

II 5

Note by Mr Menon

R/3/1/116: ff 116-18

undated

I respectfully agree with H.E.'s conclusion¹ that he should proceed to form an Interim Government with the help of the Congress. We are committed to this course (vide paragraph 8 of the Statement of June 16) since the only party which

has now accepted the Statement of May 16 is the Congress. Political considerations also point to the same conclusion. The defection of the Muslim League has added to the political confusion; strikes are becoming more frequent and widespread than ever before and are no longer confined as of old to industrial workers. There are vast administrative problems waiting to be tackled e.g. the famine threat.

The question is whether this situation could be more adequately met by the Congress or by the present Caretaker Government. In either case we are taking a risk and it is now a question of deciding which alternative carries with it the lesser risk. With the backing of nine Provincial Governments, Congress seems much more likely to be able to carry on the administration effectively than a purely official Caretaker Government with no semblance of popular support. The reason why there appears to be no concerted attack in the Press on the present Caretaker Government has been explained by C. Rajagopalachari as due to the general belief that the existence of the Caretaker Government as constituted now is a guarantee of a speedy change. By inviting Congress to form an Interim Government H.E. will be calling to power the majority party and thus helping India to follow the natural line of democratic development: and when responsibility for administration is laid fairly and squarely on the majority party they will be compelled by the logic of events to seek a permanent settlement with the Muslim League.

Apart from the question of administrative efficiency, we have also to bear in mind the important question of the future Indo-British relationships. It seems reasonable to expect that the majority party installed in power with the help of the British Government will be inclined to help in reaching an amicable settlement, however much they may have to talk in terms of total independence in the early days of their accession to power. In any case a lasting settlement between India and Great Britain can only be arrived at with the active support of the majority party, here the Congress.

The next point for consideration is whether in inviting the Congress to assume office H.E. should offer his suggestion as regards the inclusion of the League. H.E. is certainly entitled to put forward his suggestions and offer his advice as to how the hands of the administration might be strengthened. Once Congress is in office, it will be compelled, by force of circumstances, to seek a settlement with the Muslim League, for Congress will soon realise how difficult it will be to carry on the task of the Central Government with two Provincial Governments and the Muslims generally in opposition. In my humble judgment therefore there appears to be no harm in suggesting to the Congress the necessity for entering into a Coalition with the League, as long as the suggestion does not take the form of a condition precedent to the formation of the Interim Government.

¹ See Nos. 96 and 103.

There is one point which I should like to mention as regards the position of the Commander-in-Chief. The Statements of May 16 and 25 expressly lay down that in the interim Government all portfolios including that of the War Member will be held by Indian leaders, and H.E. the C. in C. in his broadcast has said that he would be glad to serve under an Indian War Member. It would certainly be desirable to secure the presence of the C. in C. in the Executive Council if the Muslim League does not come in. There seems therefore to be no objection to H.E. discussing the idea with Pandit Nehru, but as this is an issue on which Congress will probably have definite views, it would not be advisable to break off negotiations on this point.

I feel that it may not be advisable to raise the issue on the ground of probable communal disturbances for the quelling of which military aid might have to be invoked. In the first place, maintenance of Law and Order is a provincial responsibility; second, under sections 129-131 of the Criminal Procedure Code, it is obligatory on the Military authorities to act in aid of the civil power when called upon to do so. Whether the C. in C. is or is not a member of the Executive Council does not make any difference in this position.²

In view of these considerations, I venture to agree generally with the draft letter to Pandit Nehru³ but in order to make the letter even more cordial I suggest the following amendments:—

- (i) in the seventh line I suggest the deletion of the word "commonsense and"
- (ii) In the last sentence of para 1 I suggest the substitution of the words "I have no doubt you will agree" for "I am clear"

² Mr Abell minuted here 'Point is danger to Indian Army Muslim troops might mutiny and would be more likely to do so under Congress War Member'

³ Apparently an earlier version of the draft in No. 118 It will be seen that Mr Menon's proposed amendments were substantially accepted

116

Note of Proceedings of the Special Meeting of the Executive Council held on 4 August 1946

R/3/1/116: ff 120-6

PRESENT

H.E. the Viceroy.

The Hon'ble Sir Arthur Waugh, KCIE., CSI.

The Hon'ble Sir George Spence, KCIE., CSI.

The Hon'ble Sir Eric Conran-Smith, KCIE., CSI.

The Hon'ble Sir Gurunath Bewoor, KCIE.

The Hon'ble Sir Eric Coates, CSI., CIE.

G. E. B. Abell Esq., CIE., OBE., ICS. (P.S.V.).

A. E. Porter Esq., CIE., ICS., Secretary to Council.

H. M. Patel Esq., CIE., ICS., Jt. Secy. to Council.¹

H[onourable]. M[ember]., I[ndustry]. & S[upplies]., and Home said that there was a good deal to be said for placing responsibility on the Congress; it was desirable to get the Indian parties to reach a settlement among themselves and the proposed approach would give the Congress an opportunity of proving the sincerity of their professions made at various times. It was difficult to foresee the line which the Congress Working Committee would take. There were, on the one hand, the extreme statements of Nehru and Patel; if their views prevailed there must be trouble. On the other hand, there were the more moderate statements of Azad and of Asaf Ali, who had suggested that the parties should get together. If the Congress Working Committee took this line, the Muslim League would not have much to find fault with. If H.E. was satisfied that there was nothing to be hoped for from a direct approach to Jinnah, the best course was to put the proposal to Congress and hope that moderate elements anxious for a solution would prevail and put forward suggestions which the Muslim League could not well refuse. He doubted if the Congress would put forward proposals for a Council which excluded the Muslim League; it was doubtful if the Congress was prepared to face the consequences of direct action by the League. If the Congress could not get the Muslims in, therefore, they might "pick a quarrel with H.M.G." and reject the proposal on the ground of H.M.G.'s refusal to go beyond the assurances given by the Cabinet Mission to Azad on May 30th.² However, on the whole, H.M., I. & S. and Home was of the view that though the consequences could not be foretold, the proposed course was the best in the circumstances: it would at least meet the point of view of Nehru and others of his way of thinking that the Indians should be given a chance of solving their problems themselves; this was their chance.

The Home Department had tried to obtain a view on the reactions among the Muslims to the resolutions passed by the Muslim League Council in Bombay.³ He had not so far obtained any line on the reactions in Assam and Bengal but in the Punjab, Bombay and Sind an appeal to direct action would meet with ready response. It was also considered that the door had been left open by the League and Mr. Jinnah had made it clear in an interview subsequent to the League Council meeting that the Muslims would not immediately resort to direct action.

Some approach must be made and any course proposed would be a leap in the dark, but in the circumstances that suggested appeared to be clearly the best.

¹ A note by Mr Abell in the margin indicates that Mr Menon was also present at the meeting.

² Vol. VII, No. 409. ³ No. 86.

2. H.M. Law said that he had no doubt whatever that the proposed course was the best and the soundest. If it came off it would solve the problem finally,⁴ and it was as likely to succeed as any. It was not much use speculating now on how the Congress Working Committee was likely to react to the proposal.

3. H.M. War Transport said that he too approved of the approach, despite the dangers involved in it. The Congress might press the question of the independence of the new Council and, if their demand was not accepted, blame H.E. and H.M.G. for the ensuing breakdown. It might therefore be a good thing tactically not to emphasize that point unduly. For instance, exception might be taken to the words "beyond which H.M.G. are not prepared to go"⁵ and yet their omission could not imply in any way that H.E. was prepared to give in on the point. His Excellency remarked that it was necessary to refer to this point specifically because Nehru had raised it but he agreed that it was unnecessary to lay undue emphasis on it. Continuing the Hon'ble Member said that he thought there was a sure indication that Congress was anxious to form a Government—c.g. Patel's efforts to bring about a settlement of the P.&T. strike was in his opinion significant. He wondered if H.E. had any inkling as to what Mr. Gandhi's attitude was likely to be.

His Excellency said that Mr. Gandhi was quite unaccountable. During the time that the Cabinet Mission was here it was surprising how many different lines he took. Nevertheless his influence was very strong and there was little doubt that the Congress refusal to join the interim Government was largely due to his influence. H.E. pointed out however that Mr. Gandhi had nevertheless been consistent on one point, namely, that we ought to hand over power to one or other of the parties and that no progress would be made by negotiating with both.

4. H.M. Commerce considered the present a better approach than that outlined by H.E. last Wednesday.⁶ It had always been asserted that the two parties could not work together because the British were trying to keep them apart. The proposed approach would dispel that argument, would place the responsibility on the Congress, and was therefore the right approach. The difficulty was that Mr. Jinnah had again put up his price; since the meeting in Bombay he had renewed the demand for Pakistan which he had agreed to give up in view of the Cabinet [Mission's] statement for a period of 10 years.

H.E. remarked that from such information as he had received he had formed the impression that the demand for Pakistan was in the nature of a weapon to secure better terms. H.E. thought that Mr. Jinnah would⁷ be prepared to go into the Constituent Assembly and even the interim Government if he got an assurance that the Grouping would be properly worked.

H.M. Commerce, continuing, said that from such conversations as he had had with one or two leading Congressmen he had come to the conclusion that

Congress was anxious to accept office. H.M.G., he thought, must make up their mind what they would do if the Congress failed to persuade the League to join in the formation of a Government. H.M.G., in his view, should be prepared to let the Congress run the Government by itself, if necessary. We were in for trouble if we did not get a change of Council, and there would be trouble if either party were "by-passed": it was therefore a question of a choice of evils. If both parties stood out, Government would be up against very serious difficulties. He recommended therefore that H.M.G. should make up their mind to letting the Congress come in even if the Congress failed to secure the co-operation of the League for the purpose of forming a Government. Consequently he thought that the last sentence of para.2 might be recast so as to make clear to the Congress the importance we attach to the formation of a coalition Government with the League and other minorities, without suggesting in any way that if a coalition were not agreed upon, the Congress would not be called upon to form a Government with the help of other minorities. He thought that Congress expected that they could detach some Muslims from the League to accept office if Jinnah stood out.

In the last resort H.M.G. must be prepared to make over to⁸ one party or the other and to leave it to face the responsibility of taking action to suppress disorder: this would be a situation which would force any party in power to come to terms with the party standing in opposition.

H.E. thought that, though H.M.G. would deplore a single party Government, they would be prepared to hand over to Congress⁹ if Congress had made an approach on reasonable terms which had been unsuccessful. He thought that if they took office alone they might well find out by bitter experience that India cannot be governed without the Muslim League.

H.M. Home intervened to suggest the inadvisability of giving the Congress any encouragement to try to detach members of the Muslim League. H.E. agreed that it would be dangerous to be associated with any sort of attempt to break up the League.

5. H.M. Finance said that this was a big gamble, but it was a gamble which was worth taking. If the Congress and the League came together and formed

⁴ Mr Abell noted: 'He said, I think, it would be splendid.'

⁵ Evidently the relevant sentence in the first draft of Lord Wavell's letter to Pandit Nehru had read: 'As I told you at our interview on 30 July, this must be on the basis of the assurances given in my letter of the 30th May to Maulana Azad beyond which H.M.G. are not prepared to go.' See No. 118 for the draft of the letter sent to Lord Pethick-Lawrence.

⁶ There is no indication on the file as to the approach outlined by Lord Wavell the previous Wednesday. It may have been similar to that in No. 93.

⁷ Mr Abell noted here: '? might'.

⁸ Mr Abell noted here: '? include in the Executive Council'.

⁹ Lord Wavell suggested the words 'hand over to Congress' should be amended to read: 'accept a government formed on Congress without the League'.

an interim Government that would be excellent. If however one were to judge from the published statements of their respective leaders, there was no reason for thinking that it would come off. That meant that we should have a Congress Government at the Centre. That must inevitably mean trouble in the country, and he was convinced that until there was trouble we should never get any settlement. Nothing was calculated to induce the Congress and the League to come to terms with each other so much as a dose of real trouble. Snarling at each other did not lead anywhere. If however they had a chance of getting at each other's throat, they might wake up to realities. It was necessary in this matter to think two or three steps ahead. If Congress forms a Government, and there is communal trouble in the country, we must make up our mind now if we should be prepared to face all that would be involved in suppressing it. In other words, if there was trouble we should be compelled to hold the ring, unless we were prepared to walk out handing over the Government to the Congress. How long if at all was H.M.G. prepared to do that (hold the ring)? There was also the question of the Constituent Assembly. Was it to be postponed? So far, however, as the first step was concerned, he agreed that the approach proposed was statesmanlike and sound.

His Excellency remarked that he had given some thought to the question of the further steps to be taken and had put forward certain proposals to H.M.G., which he was afraid they had not liked very much; he was not surprised as they could not be very palatable to anyone!

In regard to the Constituent Assembly his present intention was to summon it, if possible, but it was difficult to say whether it could get very far without the League. He had put this point to Nehru¹⁰ (who had at the time not given very much thought to it). Nehru's view was that the Constituent Assembly could still do some useful work; it could work out how a Union could function dealing with only the three subjects proposed and could draw up model constitutions for the A Group Provinces and so on, but he seemed to agree that it could not frame an all-India constitution without the Muslim League. In fact when the Cabinet Mission was here an assurance was given to Mr. Jinnah¹¹ that we would proceed with the Constituent Assembly even if only one party accepted the long-term plan. The idea then was that if the League alone accepted, the B and C groups of the Assembly could meet and get on with the drawing up of constitutions for those Provinces. On the same analogy in the changed circumstances the Constituent Assembly, if the League members stayed away, could draw up constitutions for the A Group Provinces. He thought that unless the Congress asked for a postponement the Constituent Assembly must be called even if the Muslim League obstructed it, though it could not do much in the way of framing a constitution for the Centre.

In answer to H.M. War Transport, H.E. remarked that if the League and the Congress failed to come to terms, judging by Jinnah's reactions to a proposal

to appoint Dr. Zakir Husain,¹² he would be most unlikely to agree to nomination of any Independent Muslims.

H.E. expressed his appreciation to his colleagues for their advice and said that he would revise the proposed letter to Mr. Nehru in the light of the views expressed during the discussion.

¹⁰ See No. 91.

¹¹ See Vol. VII, No. 446

¹² See Vol. VII, No. 563.

117

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/116. f 128

IMMEDIATE

NEW DELHI, 4 August 1946, 1.15 pm

TOP SECRET

Received. 4 August, 4.30 pm

No. 1609-S. Your 14197 of 2nd August.¹ I am grateful to Cabinet for general approval of the immediate line of action I propose to take.

2. On further consideration I think the best tactics would be to invite Nehru to make proposals for the formation of an Interim Government and to try and secure the agreement of the Working Committee before any details are discussed. If they accept the principle and Nehru opens discussion with me I shall of course continue to urge the importance of securing a coalition, but Congress themselves, in spite of the statement by Patel two days ago that a coalition government is impossible, may make an acceptable offer to Jinnah. I think there is a better chance of securing a coalition government by this means than by imposing conditions and keeping specified places open for the Muslim League as this may impel the Congress to refuse again. The question of the Commander-in-Chief being War Member will only arise if Muslim League do not come in. In that event I should try to get Nehru to see the advantage of letting the Commander-in-Chief continue as War Member especially in view of the strain on Muslim troops in the event of communal disturbances.

3. In the immediately following telegram I give text of letter I propose to send to Nehru. Grateful for very early approval, as it is essential that my letter should reach Nehru before Congress Working Committee meet on 7th August.

4. I put these proposals informally before Council this morning.² The five members present, Waugh, Spence, Conran-Smith, Bewoor and Coates, unanimously agreed that this was the right line of approach and offered the best chance of obtaining a Coalition Government though they fully realised the difficulties and dangers.

118

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/116: f 129

IMMEDIATE

NEW DELHI, 4 August 1946, 2.50 pm

TOP SECRET

Received: 4 August, 2.35 pm

No. 1610-S. Following is text of letter to Nehru. *Begins.* Personal and Secret. I have not sent you an answer to your letter of the 23rd July¹ about the Interim Government. Subsequent developments make a new approach to the problem necessary, and in view of the present attitude of the Muslim League, a heavy responsibility rests on the statesmanship of the Congress. I have decided with the concurrence of His Majesty's Government to invite you as President of the Congress to submit to me proposals for the formation of an Interim Government. As I told you at our interview on 30th July,² this must be on the basis of the assurances given in my letter of the 30th May to Maulana Azad.³ I should be grateful if you could discuss your proposals with me at a very early date. It will be for you to consider whether you should first discuss them with Mr. Jinnah; if you were able to reach an agreement with him, I should naturally be delighted. I am sure you agree with me that a Coalition government can best direct effectively the destinies of India at this critical time.

Time is short. I had hoped to get the Constituent Assembly started in the first week of September, but the situation arising out of the Muslim League resolutions has to be considered, and there are many administrative problems of first-rate importance awaiting a decision.

I have of course no objection to your laying my letter of the 22nd July⁴ and this letter before your Working Committee, and I am sure you will wish to show all this correspondence to Mr. Gandhi to whom I have today sent a copy of this letter. *Ends.*⁵

¹ No. 71. ² No. 91. ³ Vol. VII, No. 409. ⁴ No. 63.

⁵ The letter sent by Lord Wavell to Pandit Nehru on 6 August 1946 was the same as this draft except that the amendments suggested in No. 120 were made and a final paragraph was added which read:

'To prevent further exacerbation of communal feeling which might lead to serious trouble this approach to you should not, I think, become public until some announcement can be made which will reassure Muslim opinion.'

119

Sir J. Colville (Bombay) to Field Marshal Viscount Wavell (Extract)

L/PEJ/5/167: f 64

CONFIDENTIAL

4 August 1946

Report No. 67

14. To revert to the Muslim League. I feel that the decision cannot be due to pique on the part of Jinnah, or he would have shown his hand sooner, but is more likely to be due to deeply laid strategy, the intention being to embroil Government and Congress in a first-class row and then to pick up some kind of Pakistan out of the resulting disturbance. Jinnah probably reckons that Congress with its insistent Left Wing cannot brook indefinite delay, and that if he succeeds in holding up progress long enough there will be a widespread outbreak of violence with which we should have to cope. He may then calculate that if we succeed in putting down Congress we will give him Pakistan, while if on the other hand chaotic conditions result for a considerable period the Muslims in majority areas may be able to help themselves to some sort of *de facto* Pakistan. I am doubtful if the League has as yet any plans for effective action but I think that Jinnah counts on trouble to break out in order to give him his chance. As regards the prospects of coping effectively with a Congress movement, I am not in a position to speak about other Provinces, but I believe it could be done here at present, though with considerable military help, but will become progressively more difficult as time goes on and in any event would still leave the political problem unsolved. Possibly I am imputing too much to Jinnah's action, and it may be that it is designed to produce assurances from Congress on the question of grouping in the Constituent Assembly; but the League's resolutions go far beyond this and I think that my first appreciation is more likely to be right. If so it will be intolerable if Jinnah should succeed in forcing Government servants all over India to fight in order to enable him to secure Pakistan! The Cabinet Mission's plan appears to provide sufficient safeguards for the Muslim population, and if in spite of all difficulties it can be proceeded with is it not possible that though there will be some trouble Jinnah may fail to keep up enthusiasm for resistance? I admit that I see this problem through the eye of Bombay but the Governors of all except League Provinces must be faced with a similar position.

I20

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/PEJ/10/73: ff 98-100

MOST IMMEDIATE
SECRET

INDIA OFFICE, 5 August 1946, 1.5 pm
Received: 5 August, 7.30 pm

14335. Your telms. 1609 and 1610-S.¹ I approve of course of action you suggest and of terms of letter you propose to send to Nehru. I suggest two small modifications of wording as follows:—

(1) In middle of paragraph 1 for words "As I told you" I suggest words "As I explained to you".

(2) In middle of last sentence of para 1 I suggest modification to read *begins*: that it is a coalition government that can best *ends*.

2. With reference to last para of draft letter, I agree with what you propose to say but you will no doubt bear in mind the point I made in first part of para 8 of my telegram of 26th July² 13792 and you may therefore see fit to inform Jinnah that embargo on communication of letter of 22nd July³ to his Working Committee is now removed.

¹ Nos 117 and 118.

² No. 79.

³ No. 63

I21

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/116: f 132

MOST IMMEDIATE
TOP SECRET

NEW DELHI, 5 August 1946, 7.30 pm
Received: 5 August, 4.30 pm

No. 1619-S. My top secret telegram No. 1609-S of yesterday.¹ I have received the following information from unimpeachable source about attitude of Vallabhbhai Patel. He told informant that if Congress were asked to form an Interim Government he would insist on their agreeing. He thought Nehru had temperamental objection to taking of responsibility and was frightened of the Muslim League on the one side and the Congress Socialists on the other.² Patel however was convinced that the Congress must enter the Government to prevent chaos spreading in the country as the result of labour unrest. He would be prepared to resign from the Working Committee if his view was not accepted. He would also insist on the Congress not repeat not breaking on the

issue of the status of the Interim Government. He thought they should accept the basis of the letter of the 30th May to Azad.³ He would be prepared to guarantee that British troops would not be used to suppress Muslims. It was clear that Patel was by no means satisfied with Nehru's performance as President of the Congress. Patel however added that if proposal for Interim Government was on similar basis to that made in my Private and Secret letter of 22nd July to Nehru⁴ which he had seen, or if I insisted on places being left vacant for the Muslim League he would be entirely against acceptance of the offer.

2. This though probably intended to reach me indicates that new approach proposed in my telegram of yesterday has some chance of success, and that type of approach previously suggested has practically none.

No. 117.
No 63.

² The first part of this sentence was received corrupt

³ Vol VII, No. 409

I 22

Mr Iengar to Mr Abell

R/3/1/123: f 231

SECRET

OFFICE OF THE CONSTITUTIONAL ADVISER,
COUNCIL HOUSE, NEW DELHI, 5 August 1946

My dear Abell,

After the Council of the All India Muslim League passed their resolution of the 29th July,¹ Sir B. N. Rau thought that it would be of advantage to find out what the Congress and the League felt regarding the arrangements for summoning the Constituent Assembly in the first week of September.

2. I had already seen Pandit Nehru who had expressed the view that it would be a serious mistake to postpone the meeting of the Constituent Assembly. Nevertheless, Sir B. N. Rau thought that it would be of advantage if I ascertained the reaction of another prominent member of the Congress Working Committee. Accordingly, I went down to Bombay to see Mr. Vallabhbhai Patel and, in the meanwhile, Sir B. N. Rau himself saw Mr. Liaqat Ali Khan.

3. Mr. Vallabhbhai Patel expressed the same view as Pandit Nehru did, but even in more emphatic terms. He said it would be disastrous if the Constituent Assembly did not meet as already arranged. That, in his opinion, would be giving an additional fillip to the Muslim League. He appreciated that one of the fundamental points in the Statement issued by the Cabinet Delegation and the Viceroy about the framework of the proposed constitution, namely the dividing into Sections, would be seriously absent by the absence of the League members

¹ No. 86.

who form the overwhelming majority of Muslims in Sections B & C. Nevertheless, he maintained that the Constituent Assembly must meet and decide how it should proceed with its work.

4. In view of the fact that this view has been expressed independently both by Pandit Nehru and Mr. Vallabhbhai Patel, we may take it that this represents the view of the large majority of Congressmen.

5. In his conversation with Sir B. N. Rau, Mr. Liaquat Ali Khan said that the decision of the Muslim League meant that the League members would not attend the meeting of the Constituent Assembly. His solution to the problem was that there should be two separate Constituent Assemblies framing constitutions for two separate States and for the two Assemblies to meet subsequently to decide on common arrangements for subjects of mutual interest, in other words, the original League proposals for Pakistan.

6. If the Constituent Assembly is to meet on the 2nd of September, there is a great deal of work to be done; and, in the absence of instructions to the contrary, we are going ahead with the arrangements on that basis.²

Yours sincerely,

H. V. R. JENGAR

² Mr Abell minuted on 5 August that he had told Mr Jengar of Lord Wavell's view that the summoning of the Constituent Assembly should go ahead unless the Interim Govt or Congress asked for a postponement. He had also pointed out that Mr Jengar and Sir B N Rau should have consulted Lord Wavell before ascertaining the views of the parties. R/3/1/123 f 232

I 23

Field Marshal Viscount Wavell to all Governors

Telegram, R/3/1/116: f 140

MOST IMMEDIATE
SECRET

NEW DELHI, 6 August 1946, 3 pm

No. 1628-S. Immediately following telegram¹ gives text of letter I am sending to Nehru to reach him before Congress Working Committee meeting at Wardha on 8th August.

2. Although this move is generally expected there is obvious risk that there may be strong Muslim reactions especially if news comes out before Congress make any gesture to placate Muslim League.

3. I have no objection to your informing Chief Secretary and Inspector General of Police in confidence if you think it necessary and if this can be done

without becoming known to Prime Minister and Minister in charge of Police. I would prefer not to inform any Minister but if something must be said you should tell Prime Minister and Minister in charge of Police that there is an obvious possibility of approach by Viceroy to Congress of a kind which would be resented by Muslim League and that as Congress Working Committee meets this week and there may be false rumours or leakage possibility of trouble should be borne in mind.

4. In view of this development I think we should get Khizar back as soon as possible. Would you like me to telegraph?²

¹ Tel. 1629-S of 6 August to Governors sent the text of the letter in No. 118 with the amendments given in note 5 to that document. R/3/1/116: f 141.

² Para. 4 was sent to the Governor of the Punjab only. Sir E. Jenkins's reply is not on the file

I24

Field Marshal Viscount Wavell to Mr Gandhi

R/3/1/123: f 236

PERSONAL AND SECRET

6 August 1946

No. 592/47.

Dear Mr. Gandhi,

I enclose for your personal information a copy of a letter¹ I have sent to-day to Pandit Jawaharlal Nehru. I am sure he will wish to show you the previous correspondence, and I trust I can rely on your using your great influence to secure the acceptance by the Working Committee of my proposal.

Yours sincerely,

WAVELL

¹ See No. 118 and its note 5.

I25

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/PO/10/23

PRIVATE AND SECRET

THE VICEROY'S HOUSE, NEW DELHI,

6 August 1946

Many thanks for your letter of the 29th July.¹ Since you wrote we have had correspondence by telegram as to the approach to be made to the Congress,

¹ No. 88.

and my letter to Nehru² has just gone off. Even if the Congress agree to make proposals without further bargaining, which on previous form is unlikely, it will remain to be seen whether their proposals will be acceptable and what they will do to reassure the Muslims. Unless they show generosity and statesmanship, which is the last thing I expect of them, we are bound to have a good deal of communal trouble, and it will be no consolation to me that some of the responsibility will be on Indian shoulders where it properly rests. I am sending in this bag for record, copies of my letters to Nehru and Gandhi.³

If the Congress either refuse to try to obtain a coalition Government, or try and fail, and either of these is much more likely than that they should succeed, there will almost certainly be widespread trouble. I must press again for His Majesty's Government to make up their minds on their ultimate policy. We cannot safely go on drifting without one.

2. Probably before this letter reaches you I shall have telegraphed to you about the outcome of my conference with the Governors of the N.-W.F.P., Sind, Punjab, the United Provinces and Bengal, which takes place this week.

Apart from the general reactions of Muslims to the latest move of the Muslim League and the probable reactions to the offer to Congress when it becomes known, we propose to consider the activities of Jai Prakash Narain and the Congress socialists. Jai Prakash Narain has been going round preaching open revolution, and I think the time will soon come when someone will have to lock him up. You will remember the warnings I gave you against him at the time of his release. This is not the sort of country, if any such country exists, where one can with impunity allow violent revolution to be preached openly for long. If the Congress come into the Interim Government, they may think themselves strong enough to tackle Jai Prakash Narain; and on the other hand it is conceivable that Jai Prakash Narain would change his tune in that event, but I do not feel sure about this. I think it is quite likely that Congress would decide to take steps fairly soon against the communists as otherwise the labour situation will get even worse.

3. I am glad you are doing your utmost to reach a conclusion about European recruitment and compensation for the Secretary of State's Services. I shall probably have to address you again about the position of the Secretary of State's Services in Congress Provinces.

4. You ask in para. 11 of your last letter whether I think India would have appealed to a British Commonwealth authority about their differences with South Africa if such an authority had existed. I think it most unlikely that they would. They feel that South Africa is not the only part of the Empire in which there is prejudice against Indians and they complain of lack of sympathy from His Majesty's Government in regard to East Africa and Ceylon. Nor would

they expect the Australians, whose immigration policy is so strict, to take a kindly view of India's case about South Africa.

[Para. 5, on a report on the Indian Industrial Worker's Health, omitted.]

6. I am afraid it will be an extremely difficult thing to get an accurate estimate of the number of Europeans in this country for the purpose of internal security schemes. The material collected in the last census of 1941 has not been sorted out (owing to the war) and we have no accurate figures even for that year; apart from which the situation has of course changed since then. There is always the difficulty about distinction between the domiciled European and the Anglo-Indian. However, I will see what can be done; but it will be impossible to produce anything better than an informed guess.

7. I have it from a good source that Sudhir Ghosh had no mission from Gandhi or Congress to go to London, and that Gandhi is in fact rather annoyed that Ghosh has used his name to get priority, though he gave him a letter of introduction.⁴ I told you at the time that Ghosh could produce no evidence that he was commissioned by Congress. I have always thought him a snake, and I suggest that you be very careful in your dealings with him, if you have any. I think the truth is not in him, and I have other evidence of this.

[Para. 8, on proposals to improve the judicial administration in India; and para. 9, on the status of the wife of the Nawab of Palanpur, omitted.]

10. Muslim reactions to the Palestine announcement⁵ have inevitably been most hostile, and I send in this bag the text of the resolution⁶ passed by the Working Committee of the Muslim League.

[Para. 11, on recommendations on policy in Persia, omitted.]

12. I think Khizar will have to come back from the Peace Conference in view of the Muslim situation here. We are, however, sending Sir N. R. Pillai, the Secretary of the Commerce Department, to strengthen the delegation by his knowledge of economic and commercial matters. We are also trying to send one or two more advisers, as our delegation are finding it difficult to provide representation for India on all the various Commissions.

[Para. 13, on scientific research under the Caretaker Government; and para. 14, on a lady visitor to India, omitted.]

² See No. 118 and its note 5.

³ No. 124.

⁴ No. 3.

⁵ See No. 96, note 7.

⁶ Not printed.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

L/PO/10/23

PRIVATE AND SECRET

INDIA OFFICE, 6 August 1946

Received: 12 August

Many thanks for your letter of the 23rd July.¹ I sent you a brief line on Friday² before leaving for the Bank Holiday weekend, which I am glad to say I was able to enjoy at home; the only interruption was your telegram³ suggesting that you write a letter to Nehru, on which I had of course to consult the Prime Minister. As my reply⁴ will have shown you, we are very ready to leave you to play this hand in the way you think most promising, and your telegram No. 1619-S,⁵ about Patel's attitude, which has since arrived, seems to show the wisdom of the course you have proposed.

2. Today and tomorrow I am in London, and I am very much hoping on Thursday to get down to the Isle of Wight until the following Monday. These scraps of holiday are not at all adequate in my wife's view, but they are the best I can expect at present. The longest period for which I hope to be away is from August 20th to 27th in Cornwall. You may think it hardly appropriate, with things as they are in India, to be talking of holidays at all; but the Prime Minister has been very insistent on the need for Ministers and senior officials to get all the rest they can during the parliamentary recess, and the extent to which sickness threatens the Cabinet (Bevin and Stafford Cripps are the latest additions to the list of those under doctor's orders, Ellen Wilkinson and Aneurin Bevin having been recent casualties—now both recovered) seems to justify his insinuations. Personally I have always found, even if one's health does not break down, one's judgment is bound to be impaired by loss of elasticity due to going on living at the pace we have had to set ourselves over the last twelve months.

3. In this connection, I am very glad you have been able to persuade Bhopal not to come over here this month. As I told you in my telegram⁶ he would certainly not have seen the King, and while he might have been able to meet the Prime Minister and would of course have been able to see something of myself, both Cripps and Alexander are away—the former on sick leave, the latter in Paris.

4. I hope you will not assume from what I have said above that you will not receive every support we can give you in the critical decisions which may have to be taken this month. The Prime Minister can always be relied upon to be available if a really important question arises. The Cabinet will be meeting at intervals (we are having a meeting tomorrow) and a quorum will always be

within reach of London. But if you can avoid any major crisis between the 20th and 27th I shall be more than grateful!

5. I am interested to note from paragraph 5 of your letter that while other Governors made no comment, Burrows and Caroe were against consulting ministries about retaining the Secretary of State's Services; the reasons which we felt to be decisive against it have since been conveyed to you by telegram.⁷

6. I sympathise with you over your strike troubles; the situation has been difficult to follow from here, and as usual it seems to be complicated by rivalries among the men's own leaders. I sincerely hope that Nehru will have exercised a moderating influence.

7. It is a pity that the Nizam and Jinnah have got to loggerheads over Sir Mirza Ismail. As you know, the India Office has never been much enamoured of this particular candidature for the Presidency of the Council, but you obviously could not veto the appointment (there are no overt grounds for doing so) and the Nizam could not back out without losing face. But while Jinnah may be said to have suffered a setback through having failed to prevent the appointment, I should have thought that he was a dangerous enemy both for the Nizam and Sir Mirza, and that the latter may find his position difficult.

8. I am interested to hear of your decision to appoint Mr. Godbole to your staff. I have no doubt that he will be an excellent adviser on Service and such like questions. But I wonder to what extent he is likely to be able to advise you on purely political questions and keep his ear to the ground in political circles; it was this kind of advice and help which I had in my own mind when we were discussing the question in India.

[Para. 9, on the proposed Indian Art Exhibition in London, omitted.]

¹ No. 69

² No. III.

³ No. 117.

⁴ No. 120

⁵ No. 121

⁶ 14095 of 31 July. L/P&S/13/1110

⁷ No. 107

127

Minutes by Mr Abell and Field Marshal Viscount Wavell

R/3/1/123: f 241

7 August 1946

Mr. Menon's letter below.¹ I agree with him that a postponement of the opening of the Constituent Assembly will have to be considered, but I would much

¹ On 6 August Mr Menon sent Mr Abell his comments on No. 122. Mr Menon felt that the latest offer to Congress on the Interim Government constituted the strongest possible demonstration of

prefer the initiative to come from the Congress. I do not think there is anything we can do about this for the moment, though the time will soon come when if the Assembly is to open on the date proposed certain decisions will have to be taken.

G. E. B. ABELL

7.8.1946

This will be a difficult decision. If we postpone, without agreement of Congress, I think there may be a danger of the C.A. meeting *suo motu* without waiting for a summons. How long can we wait before taking action?²

W.

7/8

Lord Wavell's determination not to allow the League resolution (No 86) to hold up all progress in these circumstances he considered that Congress themselves might be agreeable to some postponement in the holding of the Constituent Assembly. He suggested that Lord Wavell propose, during his next talk with Pandit Nehru, that Congress make a further attempt to persuade the League to come into the Constituent Assembly. R/3/1/123. f 239.

² On 8 August Mr Menon reported that Mr Jengar advised as follows 'If the session is to begin in the first week of September, the latest date on which we would like definite orders is the 15th of this month. Immediately we receive orders, we would have to send out notices which would make the decision public.' *Ibid.*: f 244

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Sir A. Waugh to Mr Abell

R/3/1/135. ff 65-6

TOP SECRET

NEW DELHI, 7 August 1946

My dear Abell,

Last evening I had my contemplated personal talk with Liaquat Ali Khan. He belongs to the U.P., and I have known him for many years. He was more friendly and "forthcoming" than I have hitherto known him to be.

2. I referred to our mutual concern for the future of the U.P., and to the considerable results obtained by the Muslim League on the proposals of 16th May. But it seemed to me that the decisions adopted at Bombay were purely negative, and I did not see what good they could do for the Muslim community. Some people, including experienced Muslim officers, thought that the Bombay decisions were the result of Jinnah's leaving it to his Council to decide the next move, instead as hitherto of giving it a lead.

3. Liaquat said that the decisions made at Bombay were carefully thought out beforehand. His main point, which he reiterated several times, was that his party was convinced that H.M.G. would not have the courage to abide by

the terms of 16th May when the Constituent Assembly got to work, in the face of all the pressure Congress would bring to bear. The 16th May plan had been accepted by the League after quite a hard internal struggle, because it gave Muslims a chance to develop socially and economically in their own groups without Hindu domination. The Congress, however, wanted a strong Centre, adding to the three Central subjects "ancillary" powers, which would be represented as necessary for Defence, etc. These powers would enable the Centre to dominate the groups on the economic side; the Congress would dominate the Centre. So long as Marwaris and other Hindu capitalists had a money stranglehold anywhere in India, Muslims could never improve their lot. He referred to the recent utterances of Nehru, and of "their strong man, Patel", and said the Mission's failure to re-affirm their stand on the 16th May statement, in the face of such utterances, showed that they would be prepared to give in to Congress, of whose physical strength they had exaggerated ideas.

4. I said that Congress had accepted the 16th May plan, and it was hardly for H.M.G. to impute bad faith to Congress in advance of the Constituent Assembly. Surely it was for the League to go into the Constituent Assembly and see that the plan was carried out. To this, Liaquat said that while the Constituent Assembly was arguing at length, Congress, particularly Jai Prakash Narain's party, would be organising the overthrow of the British and then of the Muslims. His party could never agree to refer "interpretation" to the Federal Court or to an arbitrator. Even if they did, the Chairman of the Assembly, who would be a Congress selection, would not be bound to accept the view of the Federal Court or arbitrator. The only outcome of the Constituent Assembly would be, surrender to Congress, and abandonment of the 16th May plan. 90 million Muslims would be doomed to the fate of the Scheduled Castes, whom the Mission had so shamefully abandoned to Congress. Rather than await this foregone conclusion while Congress gathered more physical strength, it was better for Muslims to resist now, even if it meant bloodshed.

5. I said that it was an extremely grave step to precipitate a crisis which could well be avoided by constitutional action, particularly when there is so much inflammable material. To this he said that the shedding of British and Muslim blood would be deplorable, but that it was better than slow strangulation, or words to that effect. Mr. Jinnah was an old man and probably hated the idea of going to jail. He personally and his wife liked their comforts, but they saw no alternative in present conditions. The Muslims might go down for ever, dragging others with them, but their struggle might result in "Muslim re-birth".

6. I gathered the impression that Jinnah would not consent to the inclusion of any Leaguers in an Interim Government unless he chose them, still less to the inclusion of a Nationalist Muslim; and that the League would be solidly behind

him. Liaquat scouted the idea of possible division in the Muslim ranks, and claimed that awareness of danger had made them more united than ever before.

7. Finally, he made the suggestion that leading men selected from both Congress and the League should be invited to go to London to obtain from H.M.G. a clear pronouncement on the extent to which the plan of 16th May could, or could not be modified by the Constituent Assembly. This was the only positive suggestion he had to offer.

Yours sincerely,
A. A. WAUGH

I29

Mr Gandhi to Field Marshal Viscount Wavell

R/3/1/116: f 144

SEVAGRAM, 7 August 1946

Dear Friend,

I have just received your kind note¹ with enclosure. You may depend upon my doing the best I know.²

Yours sincerely,
M. K. GANDHI

¹ No. 124.

² On 9 August Mr Abell noted: 'This is about the political move. An equivocal reply!' Lord Wavell noted: 'Yes'.

I30

Sir F. Wylie (United Provinces) to Field Marshal Viscount Wavell (Extract)

L/PE/J/5/275: ff 120-2

SECRET

U.P.-33

7 August 1946

2. In para 2 of my letter No. U.P.-1/46 dated the 2nd of January,¹ written just after I had assumed charge as Governor of the United Provinces, I described the administration of the Province as strong and confident. This was I think a just description at the time it was offered. I would go further and suggest that the principal reason why we here have stood up to the strains of the last few months better—at least as we see it—than some of our neighbours is that Hallett handed over to me a first class going concern. At that time—December 1945—the services had been accustomed for six whole years to impartial and altogether disinterested treatment. The landowners—a very important element in this Province—had supported the administration through all the strains and trials

of the years of war. The tenants had had a fair enough deal on the whole and prices of agricultural produce were very high. Labour had been firmly and justly handled under the provisions of the D.I.R. The Muslims as a community were perfectly content, for the administration recognised no distinction whether of caste or of creed. Except for the intransigent Congress Press in fact, the handling of Provincial affairs commanded respect on all sides. Now some eight months later the picture is very different. The difference is of course not all of it due to local causes. The all India situation is naturally the principal factor making for deterioration. The results are however more easily detected in the Provincial field which is the field of direct administration.

3. There has been during the last couple of months a marked deterioration in the tone and spirit of the services. European officers simply do not know where they are. They have been most of them a long time at the game, they are in close contact with the people and they see—perhaps a thought too intently—the rising dangers which beset them on all hands. In small outlying districts—and we have many of these—they know that if the administration breaks down, their own chances of survival are very small. Many of them have wives and children and they are worried where their families are to find a refuge while they stay at their posts. They have had no clear guidance about all this from any quarter. They do not know whether they will be expected to suppress any disturbances which may be forthcoming in the months ahead of them or not. Their daily contacts with their own subordinates are contaminated in consequence. The Indian official of the subordinate grades tends to be loyal if only by the force of inertia. But he needs leadership and a line. Leadership, on the other hand, is just what the British officer cannot give him at present, for he does not himself know what policy his own Government at home intends to follow. Superimposed on all this is economic worry. The cost of living is rising rather ominously. European officers of middle seniority have been able to save hardly anything as a result of war time prices and war time taxation. There is a widespread feeling that if one could only get back to England it would be possible to find something to do in order to support one's family. The Congress Ministry, on the other hand, true to form, is always ready to find fault particularly with its European servants. Daily vilification in the Press is of course the rule and what with one thing or another the European officer in this Province is getting very near the end of his tether. I do not wish to be misunderstood. These officers have still got their hearts in the right place, but they must be told and told soon what Government intends to do and what role is expected of them.

4. Indian officers of the superior services vary very much. And naturally so. The bulk of them are entirely sound. They have enough intelligence and enough

experience of affairs to understand that unless somebody stands forth ready to shoulder responsibility for the maintenance of order in the country, the price to be paid later on will be tragic. A number of these officers—more in the I.C.S. I think than in the Police—are definitely infected with nationalist views. Some of them are timid too—and with some reason—and for such the easy and may be the safer choice these days is to join the flowing tide of Indian nationalism rather than continue to be loyal to a system which whatever happens seems all too likely to disintegrate. The result however is much the same in the case of Indian officers as it is in the case of their British colleagues. They must get a lead and get it soon. A lead will bring the wobblers off the fence and will hearten those—the vast majority—who are willing to do their duty however unpleasant it may be in the interest of the country's general good.

5. The Deputy Collector and Deputy Superintendent of Police grade in this Province I believe to be almost entirely sound at heart. I have seen large numbers of them in the last months and have persuaded them to speak of their affairs and of their fears with frankness. Most of them understand less of the implications of the present situation than their Indian colleagues in the I.C.S. and understanding less, they have fewer inner troubles about it all. They will follow a lead provided it is vigorous and I should expect the vast majority of them to be staunch. They are sadly depressed however about both their immediate and ultimate prospects, they have to put up with a lot at the hands of the unimportant Congressmen who are now so much on the top of the wave, and unless some policy is soon evolved which can be put to them, I would expect a good many of them gradually to succumb to the influences of the time. The lower ranks seem so far to be all right. At any rate they are carrying on, though how long our Police will go on resisting the temptation to cash in on the uncertainties of the time it is impossible to say. I see from the latest Assam letter to the Home Department that the police there are disaffected. Bihar we know all about and it seems to be too much to expect that our turn will not come some time. Here again what is desperately needed is a positive move of some kind, in other words a policy.

9. The Muslims are now in a thoroughly truculent mood. I hope to hear what is behind their Bombay resolution² when I attend the conference you have called for the 8th of August. Here unaided I can only read into the present Muslim attitude a conviction that the British have totally ceased to matter in India and that it is a suitable time for the Muslims to clear themselves of the damaging Congress accusation that they are all toadies of the British, Nawabs, Khan Bahadurs and all the rest of it. We would seem in fact now to have got nearly every body against us.

10. The above is of course all obvious matter. I have set it out in some detail however, for the cumulative effect is disconcerting. I have no wish to appear to be panicky—very much the reverse—but I do think that unless we come out in the open some time soon, the situation will so deteriorate that it may get altogether out of our control, and this might happen very soon. The courses open to us have been discussed before and I need not mention them here. I am under no illusion either about the difficulty of the alternatives which face Your Excellency. What I have been wondering, however, if a major decision of policy is not at the moment possible is whether it could not be authoritatively announced either in London or in New Delhi that so long as Parliament continues to be responsible for the welfare of India, H.M.G. are determined to preserve public order so that the transition to independent rule shall be made peacefully. Clear evidence of a firm intention on our part to prevent chaos would I think do good.

² No. 86.

I 3 I

Field Marshal Viscount Wavell to Mr Jinnah

R/3/1/116: f 147

PERSONAL AND SECRET

THE VICEROY'S HOUSE, NEW DELHI,
8 August 1946

Dear Mr. Jinnah,

I have received your letter of the 31st July about my proposal for an Interim Government.¹

2. I am sorry that things have gone the way they have, but I do not think it would be profitable now to enter into a detailed discussion of the points you raise in your letter. I will only remind you that the basis of representation which I suggested in the letter² to which you now reply is the same as the one the Muslim League Working Committee accepted at the end of June, namely, 6:5:3.

3. In view of the League resolutions of the 29th July³ I have now decided to invite the Congress to make proposals for an Interim Government, and I am sure that if they make a reasonable offer to you of a coalition, I can rely on you for a ready response. I have told the President of the Congress that any Interim Government would be on the basis of the assurances given in my letter of the 30th May to Maulana Azad.⁴

I hope we may have an opportunity of meeting soon.

Yours sincerely,
WAVELL

¹ No. 97.

² No. 63.

³ No. 86.

⁴ Vol. VII, No. 409.

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Minutes of Conference with the Governors of Bengal, United Provinces, Punjab, Sind and North-West Frontier Province on 8 August 1946

Wavell Papers. Political Series, June–December 1946, pp. 85–91

TOP SECRET

Item I.—The results of the recent resolutions¹ of the Muslim League, and probable reactions to the approach just made to Congress to form an Interim Government.

HIS EXCELLENCY THE VICEROY started by giving a description of the negotiations about the Interim Government during the period of the Cabinet Mission. His Excellency described how the negotiations finally broke down on the issue of the Nationalist Muslim, although just previously the Congress had decided to accept both the plan for the Interim Government and the long-term plan in the Statement of the 16th May. At the last moment Mr. Gandhi had a brain wave and, helped by the fact that Mr. Jinnah published a very contentious letter at a critical moment, got the Statement of the 16th June rejected on the issue of the Nationalist Muslim. Paragraph 8 of the Statement of the 16th June which had been inserted to protect the Muslim League against the possibility of the Congress rejecting both plans now made it necessary to attempt fresh negotiations with both major parties since both had accepted the Statement of 16th June [May]. Mr. Jinnah and his Working Committee did not accept the Statement of 16th June until they knew the Congress had refused it, and that the offer had fallen to the ground.

His Excellency then said he had made a fresh approach² on a personal and secret basis to the Presidents of the two major parties. The ratio proposed was 6:5:3, as in the statement of 16th June, but the Nationalist Muslim issue was decided in favour of Congress, and it was stated that both parties could nominate their quotas. Pandit Nehru replied that the Congress could not agree unless the Interim Government had "independence in action".³ Mr. Jinnah replied later that he thought the offer had no chance at all of acceptance by his Working Committee.⁴ Meanwhile of course the Muslim League had passed their two Resolutions in which they rescinded their agreement to the Statement of the 16th May, and announced their intention of taking direct action if necessary.

HIS EXCELLENCY THE GOVERNOR OF BENGAL said that he had happy relations with his Ministry who were all Muhammedans except for one Scheduled Caste representative. They were not clever but were as honest as a Bengal Ministry was ever likely to be. Some of the members of the Ministry had delivered intemperate speeches especially the Prime Minister. They did not wish to relinquish office if they could help it. He thought they had not recovered

from election expenses yet. They would however go out of office on a directive by Mr. Jinnah. The Prime Minister had no idea what direct action was likely to mean and had asked for a public holiday on the 16th August to avoid trouble on that day. His Excellency the Governor thought that if direct action was started the position in East Bengal would be very difficult. The Muslims there were prepared to fight though it was not clear against whom they would fight. There were only about 200 British in East Bengal. The East Bengal Police who were 30% Muslims used to be good but were not as reliable as in the past. He could hold West Bengal with the help of the Army whose dispositions were mainly in that part of the Province owing to the expectation of trouble with the Congress rather than the Muslim League.

His Excellency the Governor went on to say that an alternative Ministry could be formed with the help of the Europeans and other small groups, but it would be a very unsatisfactory Ministry and would include terrorists. He was clear that he would have the greatest difficulty in running an administration under Section 93 in the face of a popular movement. Many officials would want to go from the 1st January 1947 and even now there were less than 100 British I.C.S. officers in the Province, and about the same number of Indian Police officers. The steel frame was now more like lath and plaster, and more plaster than lath.

To sum up he thought that nothing serious would happen in Bengal without a directive from Mr. Jinnah. If there was direct action there would be a serious food crisis in Eastern Bengal within a week.

HIS EXCELLENCY THE GOVERNOR OF THE UNITED PROVINCES said that though the Muslims were only 14% of the population their importance was far greater than the figure suggested. They were concentrated in the towns. He thought that if in addition to a Congress Government in the United Provinces there was a Congress Government at the Centre the Muslim reactions in the United Provinces would be very serious. The Leader of the Muslim League Parliamentary Party did not at present know however what direct action would mean. Trouble would presumably begin with communal rioting in the towns. The Police were 50% Muslims, and a Congress Ministry would find it very difficult to put down serious disturbances. The Province was quite well off for troops; but they would like a Company of Gurkha troops in Almora. He would not expect assaults on the British but rather a straight fight between the Muslims and the Hindus.

The Ministry were afraid to do anything against the Muslim National Guards, who were increasing as a reaction to the development of the Rashtriya Swayam Sevak Sangh. He thought that the law and order situation had deteriorated very rapidly in the last few weeks and in the absence of a clear indication

¹ No. 86.

² No. 63.

³ No. 71.

⁴ No. 97.

that order would be kept he expected the deterioration would continue. If there was widespread trouble the Europeans isolated in the hills would be an embarrassment. He did not think the Muslims would start sabotage. His C.I.D. were uncertain how many illicit arms there were in the countryside but thought there must be many. (At this point the Deputy Commander-in-Chief joined the meeting.)

HIS EXCELLENCY THE GOVERNOR OF THE PUNJAB said that in his Province there had been Cabinet Government of a kind since 1920. Until the last elections the Government was always non-communal and represented the farmers. The last elections were fought on communal lines. Now the Coalition Ministry consisted of 3 Muslim Unionists, 2 Congressmen and 1 Panthic Sikh. It was a weak Ministry. Out of a hundred and seventy-five seats in the Legislature the League has eighty seats, and no Government can function properly without a nominal backing of about 110. The Ministry had been able to put forward no legislation even of a non-controversial kind and they were weak also in executive matters. The Muslim members of the Ministry were under constant attack from the League and the Congress had to obey the orders of the High Command, an allegiance to which the Unionists strongly objected. There had been some action against private armies but there were qualifications to the orders which spoilt the effect. The Ministry were inclined to negotiate with those who made trouble instead of supporting the District Officers. The only chance of a stable Ministry was if the League came into power with backing from some other party; or, alternatively, if there was a drift of Muslims to the present Ministry.

The formation of a Congress Government at the Centre would have a bad effect. On major communal issues the Unionist Muslims would have to stand in with the League. The League felt deeply aggrieved but were disorganised and some of their leaders would not be ready to go to jail. The Governor did not expect trouble in the villages except perhaps among the Sikhs but there would be trouble in the towns. The most insistent grievance of the villagers was about civil supplies (i.e., sugar, kerosene and cloth).

Trouble in the towns would be difficult to deal with because 70% of the Police were Muslims and had their sympathies with the League.

The Governor said that he thought an attempt to proceed with the Constituent Assembly with the Muslims absent in regard to the framing of the constitutions of the Muslim Provinces would have more serious effects even than the formation of a Congress Ministry at the Centre.

HIS EXCELLENCY THE GOVERNOR OF SIND said that his Ministry had no intention of resigning. There had been no reactions to the Bombay Resolutions in so far as his present relations with them were concerned. Two of the Ministers had however made violent speeches about which he had protested. He had

asked the Prime Minister to get these two Ministers to resign. The Prime Minister said he would rather resign himself. Khan Bahadur Khuhro had said that there was no intention of proceeding to direct action at once. The Governor did not think that even with a purely Congress Ministry at the Centre the Ministry in Sind would go out unless Jinnah gave the order. If communal trouble started in the countryside those Hindus left in the villages might be exterminated. The Police were 70 to 80% Muslims, and it would be difficult to make the Police take effective action against the Muslims. The Europeans were all concentrated in Karachi which would be safe. The Hindus in the big towns could probably be protected. He thought he could if necessary run a Section 93 administration in Sind.

HIS EXCELLENCY THE GOVERNOR OF THE PUNJAB said that he might get forced into Section 93 administration in that Province if all the Muslims went to the League. Such an administration could be carried on but it would be a bleak prospect.

HIS EXCELLENCY THE GOVERNOR OF THE NORTH-WEST FRONTIER PROVINCE said that Muslim opinion might be really stirred either by an attempt to proceed with the Constituent Assembly in the absence of the Muslims or by the formation of a purely Congress Government at the Centre. So far the League resolutions had not done much harm and at the moment things looked fairly satisfactory. The Congress-Muslim Government provided a useful safety-valve. The main grievance at the moment was civil supplies as in the Punjab. Dr. Khan Sahib sometimes showed nervousness about the possibilities of communal trouble and was disturbed by the Abbottabad incident.⁵

The Governor stressed that there must be a definite policy in regard to the tribes. If the Constituent Assembly meet without the League and set up an Advisory Committee, and if that Committee were to try to settle the affairs of the tribes it would lead to trouble. Any Government at the Centre on which Muslim interests were not represented would also lead to trouble in the North-West Frontier Province.

The Governor thought that the important thing was to hold the Frontier firmly while the constitution-making proceeded. He suggested that it might be announced that if the Muslim League did not co-operate the Advisory Committee could not be expected to deal with the tribes. He would also like an announcement to the effect that the British were going to see that the tribes got a square deal; that they would defend the Frontier and that they would not allow disorder to impede transition.

⁵ On 27 July 1946 a Sikh shopkeeper in Abbottabad was alleged to have enticed a Muslim girl into his shop and committed rape. The following day large demonstrations by Muslim crowds got out of control and the main Sikh gurdwara was set on fire. In retaliation some Sikhs opened fire on the crowd killing three persons and injuring eight. A curfew was later imposed.

There were plenty of military forces in the North-West Frontier Province, except Air Forces. The protection of Europeans presented no special problem.

Finally the Governor thought that the constitutions of the Provinces in B section certainly could not be dealt with in the absence of the Muslims and that this should be made clear in announcement now.

HIS EXCELLENCY THE GOVERNOR OF THE UNITED PROVINCES said he agreed with the Governor of the North-West Frontier Province that if the Constituent Assembly excluded Muslims it should be made clear that there could be no constitution-making for the Muslim Provinces.

HIS EXCELLENCY THE VICEROY pointed out that though he had great sympathy with the Muslims he had to bear in mind that the Congress controlled three-fourths of British India. In the Congress Provinces that party had almost a monopoly of power. They could, if they wished, make Government impossible. The Police could take on the Congress if the British said they proposed to rule the country for another 15 or 20 years but in the absence of such an intention and such a declaration they could not be expected to do it effectively. He had suggested to His Majesty's Government⁶ that in the last resort if we got up against Congress in the Congress Provinces we should withdraw from those Provinces and continue to run North-Eastern and North-Western India under the present constitution by arrangement with the Muslim League until a peaceful hand-over could be arranged. His Majesty's Government had not liked this policy, but had not decided on any alternative one.

It was manifestly impossible to keep order all over India, and yet to avoid all risks of getting involved with Congress. He thought however that the Congress, or its Right-Wing at any rate, were very anxious to get a settlement, and were much disturbed by the latest move of the League.

The move that had been made about an Interim Government was the only possible one. One could not continue indefinitely with the Caretaker Government which could be defeated at any time by the Congress. He was doubtful however whether the Congress would be statesmanlike enough to make overtures to the League.

In answer to His Excellency the Governor of the North-West Frontier Province, His Excellency the Viceroy said that he did not think the Constituent Assembly could proceed with drawing up the constitution of the North-West Frontier Province if the Muslim League refused to attend.

GENERAL SIR ARTHUR SMITH said that he would like the following points to be confirmed. The trouble was likely to be communal and not anti-British except in Eastern Bengal. The League were not well organised. There would be more trouble in the towns than elsewhere. The reliability of the Police in dealing with the Muslim movement was somewhat doubtful.

THE GOVERNOR OF THE PUNJAB said that the Punjab Police were staunch to Akalis or the Congress but had never had to tackle Muslims as such.

THE GOVERNOR OF THE UNITED PROVINCES said that he also had doubts about his Police in such circumstances.

GENERAL SIR ARTHUR SMITH said he imagined Governors were in close touch with Commands about location of troops. In reply to a question about the probable attitude of Muslim troops he said that according to report the average Sepoy was taking very little interest in political matters. Too much reliance should not be placed on air transport for civilians in an emergency as there might be conflicting claims.

AFTERNOON SESSION

(The Deputy Commander-in-Chief was not present in the afternoon.)

Item II.—Activities of Jai Prakash Narain.

HIS EXCELLENCY THE GOVERNOR OF THE PUNJAB said that Jai Prakash Narain had addressed very large audiences in the Punjab, mostly Hindus and Sikhs. He had said that there must be an organisation in each district that could overrun the Police, murder British officials and take over charge. In the face of this open preaching of rebellion the Punjab Ministry had decided that an individual Province could not take action against Jai Prakash Narain.

His Excellency the Governor pointed out that no Government could hope to survive indefinitely if it allowed such threats. If Jai Prakash Narain was to continue preaching rebellion it was because the Ministries were incapable of dealing with him.

HIS EXCELLENCY THE GOVERNOR OF THE UNITED PROVINCES said that there was no chance of his Ministry taking any action at present. He and the Governor of Bengal both said that they thought that local agitators were more dangerous. Their speeches were just as violent.

HIS EXCELLENCY THE GOVERNOR OF THE UNITED PROVINCES said that it would be very helpful if an announcement could be made that so long as Parliament was responsible a firm line would be taken about law and order. In the absence of some such declaration District Officials were in a very difficult position.

HIS EXCELLENCY THE VICEROY said that the administration was not strong enough at present to arrest the big men, and the Congress Ministries were in the same difficulty. If the Congress came in at the Centre they might possibly feel strong enough to take action.

⁶ See Vol. VII, No. 407.

THE TRANSFER OF POWER

HIS EXCELLENCY THE GOVERNOR OF THE NORTH-WEST FRONTIER PROVINCE said that he also thought a firm statement should be made.

HIS EXCELLENCY THE GOVERNOR OF THE PUNJAB pointed out that this would ultimately involve getting rid of the Ministries.

THE HOME MEMBER said that violence was not part of the creed of any of the parties. He thought it would be a good thing if His Majesty's Government said they would not allow violence during the political negotiations. Jai Prakash Narain could be locked up, and many people would be glad.

THE GOVERNOR OF SIND pointed out that if Jai Prakash Narain were arrested Pandit Nehru would probably make his release a first condition before he would bring the Congress into the Central Government. There was general assent to this.

The Services.

HIS EXCELLENCY THE VICEROY said that after the Conference at Simla with Governors of some of the Congress Provinces the position had been reported to His Majesty's Government. The Services had been openly abused in the Legislature in Bihar and the same occurred later in the United Provinces. In the Central Provinces the Prime Minister had been trying to make the position of the Services impossible. The demand for a general enquiry had however been dropped after discussions between himself and Pandit Nehru, and the position was now better.

After the Conference at Simla His Majesty's Government had been asked to permit a reference to the Provincial Governments asking them whether they wished the Secretary of State's Services to continue.⁷ His Majesty's Government said that they could not approve this reference being made because if the offer was accepted it would mean administrative chaos would occur while Parliament was constitutionally responsible.⁸

HIS EXCELLENCY THE VICEROY then explained that Council have decided to recommend to the Secretary of State (who showed every sign of agreeing) that recruitment both of British and I.C.S. [?Indian] candidates to the I.C.S. and I.P. should be stopped. There would however be a special Central Service to which 95 available candidates would be recruited on special terms. It would be open to consideration on request from the Provinces whether this could be made a joint cadre, or some of the men lent on deputation to Provinces.

As regards compensation, urgent examination of the Government of India's tentative proposals was being carried out in London and we hope to hear something definite in a week or two.

THE GOVERNOR OF SIND said that there should be some distinction between the Provinces in regard to the Secretary of State's Services. In Sind the I.C.S

and I.P. officers were quite happy and their only worry was the uncertainty of tenure. If all other Ministries said they wanted to get rid of the Secretary of State's Services, the Sind Ministry would be forced against their real wishes to say the same.

HIS EXCELLENCY THE GOVERNOR OF BENGAL said that he would not be able to allow Secretary of State's officers to retire prematurely from Bengal, since none of them could be spared. There was then some discussion of the Rules on this subject and it was ascertained that though applications for permission to retire on proportionate pension could not be held up, the Governor must be satisfied that the man could be spared at once, and if he could not, he must say how long it would be before he could be spared.

HIS EXCELLENCY THE GOVERNOR OF THE PUNJAB and other Governors said he was opposed to preventing people from going on proportionate pension. One thing that would keep them in service would be if they knew they could go in case of necessity. Though the departure of officers on proportionate pension could be "staggered", the right to retire could not be taken away.

HIS EXCELLENCY THE GOVERNOR OF BENGAL said that the Secretary of State ought to issue clear instructions in the matter. It was not right that the onus should be left on the Governor.

In conclusion HIS EXCELLENCY THE VICEROY said that he realised the difficulties of Governors. It was impossible to carry on indefinitely on present instructions which were roughly that we should keep law and order all over India but should not get involved in a conflict with either of the major parties. All that could be done for the moment was to adopt an opportunist policy and wait on events. He was now waiting to know the reactions of the Congress Working Committee to his latest proposal.⁹

⁷ See No. 23

¹ See No. 107.

¹ See No. 118 and its note 5

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/124: ff 13-14

NEW DELHI, 9 August 1946, 8.20 pm

No. 1651-S.

[Paras. 1-3, summarising the Governors' Conference of 8 August (see No. 132) omitted.]

4. Conference was useful. It is clear that creation of Congress Government at the Centre may mean grave trouble in the Muslim Provinces, but that trouble

is a certainty if Constituent Assembly attempted to by-pass the Muslims. This we must prevent at all costs. It may be that Congress themselves will realise the position. If Interim Government is formed I shall have to ascertain their views at once. But we must have a clear policy if Congress prove intransigent. HMG will probably have to make some announcement at early date to reassure Muslims.

5. HMG should not be under the impression that the only risk of trouble is now with the Muslim League. On the contrary there is still distinct possibility that HMG may be compelled to decide on a definite policy in regard to the Congress. I have no confidence that Congress will take a statesmanlike or generous view. Their demands about status of Interim Government or its composition may be such as I cannot accept. They may insist that Constituent Assembly must be free to form constitutions for all Provinces. Our refusal to abandon the interests of the Muslims on these issues may lead us into conflict with the Congress. If that happens Muslim League would probably support us but policy decision by HMG would become inevitable. I have given my recommendation on a final policy in paras. 11-14 of my appreciation of May last.¹ I am aware that HMG dislike this policy, and I fully realise its difficulties and dangers. But after further consideration and after having seen Governors of all Provinces except Madras, Bombay, Orissa and Assam, I can see no better final plan. It might succeed in the final resort in bringing Congress to their senses and in securing after an interval a united India.

¹ Vol. VII, No. 407.

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Note by Sir F. Mudie (Sind)

R/3/1/124: f 18

undated

Note on conversations with Khuhro and Ghulam Hussain on the recent resolutions of the Muslim League

Khuhro said that he was one of a small minority that opposed the resolution. Jinnah started by referring to Nehru's statements regarding the powers of the Constituent Assembly and took strong exception to the refusal by the Secretary of State in the Lords and Sir Stafford Cripps in the Commons to give any form of assurance that HMG would insist on the Constituent Assembly working as laid down in the Statement of May 16th. He referred to newspaper reports that when Lord Simon asked what HMG would do if the Constituent Assembly

did not proceed according to that Statement the Secretary of State replied that they could trust to the good-will of the parties concerned. A similar statement to the effect that reliance could be placed in the good-will of the parties was made in the Commons by Sir Stafford Cripps. Jinnah felt that HMG should have given an assurance that they would intervene and insist on the Constituent Assembly working as proposed in the Statement.

The meeting accepted Jinnah's view. They saw no sign of the good-will referred to by the Cabinet Ministers and feared that, if the Constituent Assembly was allowed to proceed as a sovereign body, not bound by the Statement of June 16th [May 16th], the Congress would proceed to frame a Constitution according to their own views and would present HMG with a *fait accompli* which HMG would find it difficult to reject. Also, as the League members would undoubtedly walk out of the Constituent Assembly if that body voted against grouping and proceeded to act accordingly, the feeling of the meeting was that they might as well reject the proposals now.

The reason for the rejection of the Interim Government proposals, according to Khuhro, was the apparent inclusion in the latest proposals of the right of the Congress to nominate a non-League Muslim. Jinnah had received a private letter from H. E. V.,¹ suggesting that the League and the Congress should each nominate a certain number of representatives in the Interim Government. This letter was not to be shown to the League Working Committee, but as its substance had appeared that day in the press in Bombay and Delhi—presumably due to disclosure by the Congress—Jinnah felt that he was at liberty to disclose its contents to the meeting. This part of the resolution was not to be taken as a rejection of the principle of forming an Interim Government or as a reversal of the League's decision to accept the previous offer but only as a rejection of the latest offer.

Regarding "direct action" nothing, according to Khuhro, would happen now. In this matter everything would depend on future developments. Direct action would be directed not so much at the British as at the Hindus.

Khuhro's conclusion was that if (a) HMG made a statement that they would insist on grouping and intervene to enforce it, should the Constituent Assembly try to get round it, then the League would agree, again, to come into the Constituent Assembly, and (b) if it was accepted that all Muslims in the Interim Government would be nominated by the League then they would come into the Interim Government.

Ghulam Hussain's account did not differ much from Khuhro's. He said that the decision was unanimous and that, if Jinnah had not agreed to something of the sort, feeling was so strong that he would have been swept aside. Ghulam also stressed the feeling among Muslims that they were being driven from one position to another and had to take a stand somewhere. First the yielding on

¹ No. 63.

the Union Centre, then the yielding on parity and now the proposal to yield on the claim that the League was the only representative of Muslim opinion.

Ghulam Hussain agreed with Khuhro as to the meaning of direct action and the steps which, if taken by HMG, would result in the League going back to their previous position.

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Minutes by Mr Scott, Mr Abell and Field Marshal Viscount Wavell

R/3/1/124: f 19

9-10 August 1946

On the note by the Governor of Sind about his conversations with Khuhro and Ghulam Hussain (placed below),¹ H. E. said that he would like the point about "assurances" cleared up.

2. In his telegram of July the 16th² H. E. recommended that a statement be made in the debate in Parliament which would have been a categorical declaration that Congress was expected to abide by the procedure laid down in paragraph 19 of the Statement of May the 16th.

3. In reply,³ the Secy. of State gave the text of the statement which would be made in the debate, and H. E. accepted this.⁴ This statement was in fact made.

4. In the course of the debate in the House of Lords, Lord Simon asked whether the Constituent Assembly could go outside the framework of the terms which had been agreed.⁵ In his reply, the Secy. of State declined to give a specific answer to this.⁶ This is probably the point which aroused the suspicions of the Muslim League. At the conclusion of his answering speech, the Secy. of State said that "I am going to put my confidence, faith and hope in the Indian people doing the right thing".⁷ This again is the kind of assurance which carries no conviction to Muslim ears.

5. No such assurance was given as that HMG would intervene if the Congress showed signs of departing from the spirit of the Statement of May 16th, and insist on the Constituent Assembly working as proposed in the Statement. It was, however, stated that HMG would only implement a decision of the Constituent Assembly on the basis of the procedure agreed upon (at that time) by both parties.

I. D. SCOTT

9.8.46

Passage marked X above.⁸ The S/S referred back to his statement in his opening speech in which he said: "But having agreed to the statement of May 16,

and the Constituent Assembly elected in accordance with that statement they cannot, of course, go outside the terms of what has been agreed . . . it is on the basis of that agreed procedure that H.M.G. have said they will accept the decisions of the Constituent Assembly."⁹

This was taken by *Dawn* at the time as an assurance, and it is one. There is however a characteristic loophole. H.M.G. are not committed to accept a decision reached by a method contrary to the procedure laid down; but they have *not* said that in all circumstances they would refuse to do so.

We may have to get the assurance repeated and strengthened later, but not at the moment, I think.

G. E. B. ABELL

10/8/46

We might be ready with a draft of what might be said to re-assure the League.¹⁰

W.

10/8

¹ No. 134 ² No. 34. ³ Nos. 41 and 42. ⁴ See No. 41, note 2.

⁵ See *Parl. Debs*, 5th ser., H. of L., vol. 142, 18 July 1946, col. 627; also Appendix I to No. 317.

⁶ *Parl. Debs*, col. 631 ⁷ *Ibid*, col. 633.

⁸ This refers to the second sentence of para. 4 of Mr Scott's minute.

⁹ See *Parl. Debs*, col. 584.

¹⁰ Minuting on the file indicates that no action was taken on Lord Wavell's suggestion.

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Sir H. Twynam (Central Provinces and Berar) to Field Marshal Viscount Wavell
(Extract)

L/P&J/5/195: ff 126-7, 130

SECRET

GOVERNOR'S CAMP, CENTRAL PROVINCES

No. R-26/G.C.P.

AND BERAR, 10 August 1946

Dear Lord Wavell,

Many thanks for your letter No. 40/7 dated the 2nd August 1946.¹ I fear that officers in this Province will definitely consider that I have let them down if the principle is accepted that enquiries into individual cases may be allowed and either I or my successor find it impossible to block such enquiries at the outset—as may well be the case in view of the unlimited capacity for lying statements which is as prevalent today as when Macaulay wrote his famous *Essay on Warren Hastings* and dwelt therein on Nuncomar's case. This was perhaps the

¹ In his letter 40/7 of 2 August 1946 to Sir H. Twynam, Lord Wavell said it would not be possible to block completely all requests for enquiries into complaints against individual members of the Services which related to their conduct during the 1942 disturbances. I.O.L. Microfilm Reel 2447.

first province in India to deal effectively with the disturbances in August 1942 and the success then obtained must be largely attributed to two communiqués dated 20th and 28th August 1942 extracts from which I reproduce below.

On 28th of August 1942 I issued a communiqué saying:—

“As already notified in its communiqué dated 20th August, the Provincial Government has announced that it will hold no judicial or general enquiry into the recent disturbances. Individual complaints can always be preferred in the Civil and Criminal Courts; the Provincial Government has also stated that complaints of a more general character may be entertained and passed on by the Chief Secretary to the proper authorities for enquiry if he is satisfied that they are *prima facie* substantiated”.

The relevant sentence of the communiqué dated 20th August 1942 is as follows:—

“Nevertheless, in order to reassure the law-abiding public, Government undertakes that if any such allegations can be substantiated, they will be duly enquired into by the proper authorities if application is made to the Chief Secretary”.

I was here in Nagpur during the momentous early days of the rebellion and know that the measures taken to suppress the rebellion were (to quote Lord Linlithgow) “firm, temperate and decisive”. There is probably less reason to suspect officers of inhuman behaviour here than elsewhere, and this is another reason why the position accepted in the U.P. and Bihar is less justifiable in the C.P. The refusal to hold enquiries other than in the manner indicated in the August communiqués was fully endorsed by Lord Linlithgow. It will be seen, therefore, that officers and the Police have been living during the last four years in the belief that the events of August 1942 were a closed book. Further, as will be seen from the text of the communiqués issued by me, there was no reason whatsoever why allegations of misbehaviour should not have been formulated at the time. To collect evidence now after the lapse of four years is putting a premium on false allegations.

★ ★ ★

It is quite clear to me that the sooner all British civil officers are out of this country the better and I think that there is much to be said for Pandit Nehru's suggestion of retiring officers who were concerned in the suppression of the disturbances provided, of course, that they are granted the same compensation as will be allowed to other members of the Secretary of State's Services who may subsequently retire.

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Congress Working Committee Resolution of 10 August 1946¹

Wavell Papers. Political Series, June–December 1946, pp. 95–6

“The Working Committee regrets to note that the Council of the All-India Muslim League, reversing their previous decision, have decided not to participate in the Constituent Assembly.² In this period of rapid transition from dependence on a foreign Power to full independence, when vast and intricate political and economic problems have to be faced and solved, the largest measure of co-operation among the people of India and their representatives is called for, so that the change-over would be smooth and to the advantage of all concerned.

The Committee realizes that there are differences in the outlook and the objective of the Congress and the Muslim League. Nevertheless, in the larger interests of the country as a whole and the freedom of the people of India, the Committee appeals for the co-operation of all those who seek freedom and the good of the country, in the hope that co-operation in the common tasks may lead to the solution of many of India's problems.

The Committee further noted that criticisms have been advanced on behalf of the Muslim League to the effect that the Congress acceptance³ of the proposals contained in the Statement of May 16th was conditional. The Committee wish to make it clear that while they did not approve of all the proposals contained in this statement, they accepted the scheme in its entirety. They interpreted it so as to resolve the inconsistency contained in it and fill the omissions, in accordance with the principles laid down in that statement. They hold that Provincial Autonomy is a basic provision and each Province has the right to decide whether to form or join a group or not. The question of interpretations will be decided by the procedure laid down in the statement itself and the Congress will advise its representatives in the Constituent Assembly to function accordingly.

The Committee have emphasised the sovereign character of the Constituent Assembly, that is, its right to function and draw up the constitution for India without interference of any external power or authority, but the Assembly will naturally function within the internal limitations which are inherent in its task and will further seek the largest measure of co-operation in drawing up the constitution of a free India allowing the greatest measure of freedom and protection for all just claims and interests.

It was with this objective and with the desire to function in the Constituent Assembly and make it a success that the Working Committee passed the

¹ The text of this resolution was derived from Press sources.

² See No. 86.

³ Vol. VII, No. 603.

resolution of June 26th, 1946,⁴ which was subsequently ratified by the All-India Congress Committee on July 7th. By that decision of the All-India Congress Committee they must stand and they propose to proceed accordingly with their work in the Constituent Assembly.

The Committee hope that the Muslim League and all others concerned in the wider interests of the nation as well as of their own will join in this great task."

¹ Vol. VII, Enclosure to No. 603.

138

Pandit Nehru to Field Marshal Viscount Wavell

R/3/1/116: f 167

PERSONAL AND SECRET

WARDHA, 10 August 1946

Dear Lord Wavell,

Thank you for your letter of August 6th¹ which reached me on the evening of August 8th.

I have consulted my Committee and Mr. Gandhi in regard to the proposal you have made, with the concurrence of the British Government, to entrust the formation of the Provisional National Government to me as President of the Congress. I have accepted the advice of my colleagues to undertake this responsibility, and I am, therefore, in a position to place before you our proposals for the formation of this Government. I may say at once that my Committee and myself have in mind a government which will consist of good representatives of the main elements in India.

We would have welcomed the formation of a Coalition Government with the Muslim League. But, in view of the resolution² adopted by and the statements recently made on behalf of the Muslim League, it is not possible to expect that they will agree to cooperate at this stage. Any premature attempt to induce them to do so might produce a contrary result. Such an attempt will inevitably become public and result in communal controversy and further delay which you rightly deprecate.

It seems to us that the best course is for you to make a public announcement to the effect that you have invited the President of the Congress to form the Provisional Government and that he has accepted your invitation. It will then be possible for us to approach the Muslim League and invite its cooperation. We shall welcome that cooperation but, if this is denied us, we shall be prepared to go ahead without it.

I shall gladly meet you to discuss this matter further. I expect to be in Wardha so long as our Working Committee lasts. Probably I shall go to Bombay for

some important engagements on the 14th evening and spend some days there. My address in Bombay is 20 Carmichael Road.

I am sending this letter through the Governor of the Central Provinces.

Yours sincerely,

JAWAHARLAL NEHRU

¹ See No. 118, note 5.

² No. 86.

I39

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/SG/7/263: f 65

IMPORTANT

NEW DELHI, 11 August 1946, 12.25 am

Received: 10 August, 11 pm

1658-S. Your telegram 14,186 dated August 2nd.¹ Subject was discussed in Council on 7th on a (?paper) of Home Dept. which had already been considering question. Official intimation may take some time but substance of decision was that recruitment of both Europeans and Indians to Secretary of State's services should cease forthwith and that offers of appointment already made should be cancelled. No offers have been made in India and question of compensation does not therefore arise in respect of Indians to be recruited here. Decision regarding Indians was taken on grounds indicated by you and in consideration of fact that 5 Provincial Governments had given their opinion against all further recruitment, 3 of them specifying Indians as well as Europeans. Proposals for filling war vacancies were also considered by Council which decided to establish a central service under Government of India giving provinces the opportunity of sharing in a joint cadre with Central Government or alternatively the (corrupt group) [?recruits] qualifying for deputation from centre for service in provinces. Details are being worked out.²

¹ No. 109.

² In tel. 14781 of 12 August Lord Pethick-Lawrence asked Lord Wavell to confirm urgently whether the new Central Service would be recruited solely from Indians and would not be open to Europeans. In tel. 1672-S of 13 August Lord Wavell confirmed that the new Service would not recruit Europeans. L/PO/10/26.

I40

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/116: f 174

MOST IMMEDIATE
SECRET

NEW DELHI, 11 August 1946, 11.45 am
Received: 11 August, 10.20 am

No. 1660-S. My telegram No. 1659-S of today gave text of letter from Nehru.¹ I propose if you agree to reply as follows.

Begins: Thank you for your letter of the 10th. I am glad that you are ready to make proposals for the formation of an interim government and if it is possible for you to come to Delhi before your visit to Bombay, I think there will be advantage in an early discussion. I propose to make the following announcement *Quote*. The Viceroy with the approval of HMG has invited the President of the Congress to make proposals for the immediate formation of an interim government and the President of the Congress has accepted the invitation. Pandit Jawaharlal Nehru will shortly visit New Delhi to discuss his proposals with the Viceroy. *Unquote*.

2. I am glad you contemplate approaching the Muslim League as soon as an announcement has been made, and I sincerely hope that your approach will be successful. I have no doubt that when my announcement is made you will wish to indicate publicly your desire to secure in the interests of the country a fully representative coalition government.

3. Unless I hear from you, I will put out the announcement suggested in para. 1 on Monday at 5 P.M. IST. *Ends.*²

¹ No. 138.

² In tel. 14716 of 11 August Lord Pethick-Lawrence informed Lord Wavell that he agreed with the text of the reply to Pandit Nehru. L/P&J/10/73: f 83. The reply, which was sent by telegram through the Governor of the Central Provinces, issued on 12 August. On the same day Mr Abell informed Governors' Secretaries of the gist of Lord Wavell's message and the text of the Press announcement. R/3/1/116: ff 181-2.

I41

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/PO/10/26

SECRET
PRIVATE AND CONFIDENTIAL

11 August 1946

No. 113. You will be glad to hear that Bevin has agreed to release Shone for appointment as U.K. High Commissioner and that Shone has accepted offer.¹

He would prefer not to take up appointment until the end of October. I suggest that we can agree to meet him over this. He would prefer also in order to protect his position till he can wind up in present post that appointment should not be announced until nearer date of departure from Beirut. Subject to what you may think I see no need for immediate announcement and will telegraph again later about this and about consequential matters which have been in suspense pending selection of High Commissioner.²

- ¹ The first suggestion of Mr Shone as a possible candidate for this appointment appears to have been made by Sir W. Croft in May while in India with the Cabinet Mission. The Foreign Office (among others) had been asked to suggest names (L/E/8/4870: f 302) and these had been telegraphed to Sir W. Croft whose reaction was as follows. 'The Foreign Office have certainly suggested some of their flyers, but I think any of those named will be lucky to get a job of this importance and standing. I should have been more impressed if they had offered us someone with more status and experience. That is why I suggested Terence Shone, who, though not so brilliant as one or two of those named in your telegram, will I think fill the bill better. That was also the Viceroy's feeling.' Croft to Montreath, 30 May 1946, para. 4. MSS. EUR. D. 714/76: f 10.
- ² Lord Wavell replied in tel. 1673-S of 13 August in the following terms. 'I am very glad to hear that Shone will be the first U.K. High Commissioner. I know him well and am delighted he is coming. I agree though rather reluctantly, that he need not take up appointment until end of October. I suggest that immediate announcement be made that U.K. High Commissioner will be posted at that time and that the name will be announced later.' L/PO/10/26.

142

Dr Ambedkar to Mr Attlee

L/PEJ/10/50: f 55

"RAJGRAHA", DADAR, BOMBAY 14,
12 August 1946

My dear Attlee,

Thank you for your letter of the 1st August, 1946.¹ I did not expect you to find time to reply to my letter of the 1st July 1946.² I am therefore grateful to you for your having found time to let me know your views about the points that I had raised in my letter.

2. I am afraid I cannot accept your justification for the revision of the policy followed by His Majesty's Government in the Simla Conference of 1945 nor of the Mission's method of treating the Scheduled Castes. I cannot help saying that Mr. Alexander's statement in the House of Commons that the majority of the Scheduled Castes are with the Congress is an atrocious statement and has no foundation in truth. This is not only my view but the view of every Englishman in India. If you only consult Sir Edward Benthall who is now in England, I am sure he will support me.

¹ No. 105.

² See footnotes to No. 105.

3. With regard to the analysis you have given of the result of the achievements of the Federation in the Primary election, all I can say is that you have misunderstood the situation and I am afraid no outsider who does not know the significance of the facts or the method of the election will be able to understand what they mean without proper explanation. The main ground of my charge against the Mission is that when the other side of the picture were [was] presented by the Congress, it was their bounden duty to have called me and to have asked for an explanation. This, the Mission did not do, which they were in justice bound to do. If I had failed to give them satisfactory explanation then they would have been justified in the conclusion to which they came. That the Mission was grossly misinformed is proved by my election to the Constituent Assembly from Bengal. The Cabinet Mission stated in the House of Commons that my influence was confined to Bombay and C.P. How is it then that I was elected from Bengal? In connection with my election, I would like to impress upon you three facts: One is that I did not merely scrape through but I came at the top of the poll beating even Mr. Sarat Chandra Bose, the topmost Bengalee leader of the Congress Party. Secondly, I am in no way connected by communal ties with the Scheduled Castes community of Bengal. They are of different caste to which I belong. In fact the people of my caste do not exist in Bengal at all and yet the Bengalee Scheduled Castes supported me, so strongly that I was able to come first. Thirdly, though the Scheduled Castes in Bengal had been returned on the Congress ticket yet they broke the rule of their Party not to vote for anybody except for Congressmen and voted for me. Does this prove that I have no following in Bengal? I am sure if the Cabinet Mission are honest in their conclusion, they ought to revise the erroneous opinion which they have expressed in the House of Commons and revise the view and give proper recognition to the Federation.

4. With regard to the status of the Scheduled Castes in the Minority Advisory Committee, I am glad to have an assurance that the British Cabinet considers the Scheduled Castes to be an important minority. I am afraid that I must again repeat that unless and until the Cabinet Mission were to make a public declaration, this view will not help the Scheduled Castes. I say this because, as you will see, [in] the last letter³ which Maulana Kalam Azad wrote to the Viceroy on behalf of the Congress before the negotiations broke down, he emphatically challenged the view that the Scheduled Castes were a minority. The Scheduled Castes fear that if this view is not corrected by the British Cabinet in time, the Scheduled Castes' case may not be considered in the Advisory Committee which is bound to be packed by Congressmen. The danger of their being relegated to the position of a social group within the Hindus as distinguished from a minority, appears to be most certain in view of the recent pronouncement of Mr. Gandhi who evidently thinks that he can now do anything he likes

with the Scheduled Castes in view of the fact that the British Government have refused to lend them their support.

5. In these circumstances, I would press upon you to reconsider the matter and make a declaration that the Scheduled Castes are an important minority to avert a possible danger to their future position in the new Constitution.

6. I am sorry to read that you cannot hold out any hope of the Scheduled Castes getting two seats in the Interim Government. I do not see any justification for this denial. Both on the ground of their numbers and also as compared to the assurance given at the time of the last Simla Conference of 1945, they are entitled to better treatment than is proposed to be given to the Sikhs and other smaller minorities. I should think that the claim made by me was more than justified.

With kind regards,

Yours sincerely,

B. R. AMBEDKAR

¹ Vol. VII, No 603.

I43

Notes by Sir W. Croft and Sir D. Monteath

L/WS/1/985: ff 60, 58

12-13 August 1946

It is all very well to say (vide the concluding paragraph 10 of the first note¹ enclosed with the Viceroy's letter) that it is vital to us when we hand over political power to hand it over to a stable and friendly government in India, and to contract with that government a genuine defensive alliance. If it is *vital* to achieve this object, then we should not hand over power unless we can be sure of such a government as is described to hand it over to. But we have now got into a position where we haven't really got an option to hand over or not to hand over, and it is far from being the case that we can be sure of finding a government to hand over to, which is stable, friendly, etc. The concluding paragraph goes on to say that in all other circumstances the debit balance will be heavy.

We must, of course, continue to aim at what from all points of view, and particularly from our own, would be the best outcome. But it is so problematical that we surely should not dwell upon it to the exclusion of other possibilities. I doubt myself whether it is absolutely true to say that in all other circumstances (i.e. except that of finding a stable, friendly and cooperative government to

¹ Enclosure I to No. 26.

hand over to), the debit balance will be heavy. Certainly there is no alternative anything like so good. But the other alternatives may not all be dead loss, and surely the debit balance cannot be *equally* heavy in all cases.

W. D. C.

12/8

I am afraid that I have derived very little comfort or guidance from this note and do not really understand what purpose it is expected to serve, nor to whom it could be circulated with advantage. Everybody knows that if India is unstable or hostile and, still more, that if it is both unstable and hostile it ceases to be the essential linchpin in the structure of the Commonwealth and becomes instead a menace to it. That menace, of course, would take concrete shape if, instead of an India controlled by, or at any rate friendly to, this country and the rest of the Commonwealth, it were controlled by the U.S.S.R. As Sir W. Croft says, it is rather late in the day now to consider the conditions on which H.M.G. could *safely* hand over control to Indian hands.

Nor do I follow some of the particular arguments. In the paragraph² at the foot of the first page, for example, if it is the case that the youth of Great Britain is no longer willing to serve abroad (in Victorian terminology to "shoulder the white man's burden") it is surely irrelevant to lament the fact that previously it was possible to station 60,000 troops in India and maintain them at the cost of Indian revenues.

Again, in paragraph 7 at the top of page 4, help in developing the country is surely a peace-time, not a war-time, function? If so, the fact that communications by land with Russia are bad is no argument; land communications with Great Britain or with the U.S.A. are non-existent; their material help in the development of India would reach that country by sea, and so, surely, would that from Russia.

I think that the appreciation³ made by the C.-in-C.'s Secretariat in India has already been received and is in the hands of the Chiefs of Staff Secretariat in connection with the question what safeguards from a strategic aspect are required for inclusion in any Treaty or other instrument to be negotiated with the future Government of India. If so, there seems no need to circulate it further, and I see no advantage in circulating the more general note.

D. T. M.

13.viii

² Para. 2 of Enclosure I to No. 26.

³ Enclosure II to No. 26.

I44

*Mr Burgess¹ to Mr Abell**R/3/1/116: f 191*IMMEDIATE
CONFIDENTIAL*13 August 1946, 11.45 am
Received: 13 August, 2.45 pm*

No. 950-GS. Following is text of Jawahar Lal Nehru's acknowledgment. *Begins.* I have received two messages² from the Viceroy for which I thank him. I am agreeable to his making announcement suggested. I am afraid it is difficult for me to go to Delhi straight from Wardha. I have to be here till the evening of August 14th. After that I should like to go to Bombay at least for a day or two. I can try to fly to Delhi from Bombay at the earliest on the August 16th but preferably on August 17th. *Ends.*

¹ Secretary to the Governor of the Central Provinces.

² The only message on the file is one in which Pandit Nehru was sent the text of Lord Wavell's letter as in No. 140 R/3/1/116 f 179; but see No. 146, para 8

I45

Cabinet

*Chiefs of Staff Committee. C.O.S. (46) 125th Meeting, Minute 3,
Confidential Annex*

*L/WS/1/1030 ff 146-7**13 August 1946, 3 pm*

Internal Situation in India

THE COMMITTEE had before them a note¹ by the Joint Intelligence Staff discussing the current situation in India and drawing two conclusions, namely:—

- (a) That disturbances that may lead to civil war in India may take place in the near future.
- (b) That in the event of civil war, the Indian Armed Forces as a whole cannot be relied on.

LORD TEDDER invited Sir Claude Auchinleck to give his views on the above expression of opinion.

SIR CLAUDE AUCHINLECK said that he thought the brief was perhaps a little on the gloomy side. As far as major disturbances in India were concerned, he did not think the situation was any more dangerous to-day than it had been

¹ Not on L/WS/1/1030.

six weeks ago, indeed, it was perhaps a little better. At the moment, everything depended on the Muslim League, and he doubted very much whether Mr. Jinnah really intended to create widespread unrest. He thought that the Muslim League were suffering from a general feeling of exasperation and had dissociated themselves from all forms of co-operation more as a gesture than with real intent to do damage. He would not be surprised if, in fact, they were already beginning to feel they had gone too far. In any event, none of them seemed to have any concrete plan for the "direct action" which Mr. Jinnah had proclaimed as the League's next step.

Continuing, Sir Claude Auchinleck said that he thought that the left-wing of Congress was a much more dangerous element in the situation. This was an element which might well brush aside the more moderate element of Congress opinion and precipitate action of the most serious kind. For instance, if it proved impossible to set up an interim government they might insist on Congress setting up a parallel government in large sections of the country which would challenge the existing Government and approach something like revolution.

However, no such situation had yet arisen, and if the Muslim League now decided to co-operate, the situation would improve and indeed might well be better than it had been for a number of years.

Turning to the question of the reliability of the Indian Armed Forces, Sir Claude Auchinleck explained that the Indian Army had been very little affected. As the Committee would be aware, he had always taken the view that in the event of serious communal trouble, it would be impossible to call upon Muslim troops to take action against Muslims, or Hindu troops to take action against Hindus. But at present no such widespread trouble had arisen, and there were no signs of unreliability in the Army at all.

The Royal Indian Navy were, he thought, recovering slowly from the recent mutiny, and provided they were given good officers he saw no reason why this improvement should not continue. At the moment, re-armament of R.I.N. ships was proceeding.

The Royal Indian Air Force were, perhaps, in the worst position, inasmuch as they had not the background or tradition of the other two Indian Services and had to contend with greater difficulties. Here again, however, he was not disposed to take as serious a view as some. The squadrons on the frontier, for example, were doing a good job of work, as were the units in Japan. The fact remained, however, that a large proportion of the force was uneducated, undisciplined and politically-minded. The overall effect would not be disastrous, but it had to be admitted that, in the event of serious trouble, the whole force might collapse.

Commenting on the last sub-paragraph of the brief, Sir Claude Auchinleck said that he thought that it was wrong to suggest that the morale and discipline

of the Indian Armed Forces on the North-West Frontier would be different from that in other areas. He thought that if any real disaffection were to spread, it would spread throughout. The effect overseas might be somewhat delayed, as the troops there would be kept out of mischief for a time, but in the end the disease would spread to them also.

Summing up, Sir Claude Auchinleck said that while the general situation in India was unpredictable and there were serious potential dangers, on the whole he felt it was better now than it had been a few weeks before, and provided the Muslim League decided to co-operate, there were prospects of further improvement. Provided the Indian Army remained loyal—and at the moment there were no signs of disaffection—he had ample forces to deal with any situation that might arise.

THE COMMITTEE:—

Took note with interest of the views expressed by the Commander-in-Chief, India.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/PO/10/23

PRIVATE AND SECRET

THE VICEROY'S HOUSE, NEW DELHI,

13 August 1946

Many thanks for your letter of the 6th August.¹ I am very glad to hear that you propose to get a short holiday in Cornwall for a week from the 20th. I hope that there may be no crisis in that period. This strain on all of you must have been very great in the last year, and certainly you have had as hard a time as any. I wish I could hold out the hope that our troubles were now over with the prospect of the formation of an Interim Government, but I certainly cannot do that. The announcement² has just been made and I shall not be able to report reactions in this letter, though one can take it for granted that the Congress will be pleased and that the League will not. *Dawn*, characteristically, has not even been able to include in its today's issue the communiqué which was issued yesterday evening at about 6-30.

2. Nehru's message³ which I repeated to you was I think fairly satisfactory, in that he is prepared to try for a coalition Government. But even if the terms are reasonable, I doubt very much if Jinnah will be able to swallow his pride and enter the Interim Government. It will be a very difficult decision for him to take. On the one hand he will dislike intensely having the Congress in charge

¹ No. 126.

² See No. 140, para. 1.

³ No. 138.

of the Interim Government and will wish to come in and watch them; on the other hand, after all that has been said, he will presumably hesitate to change his tune and compromise. Nehru is going to Bombay shortly, I don't know whether he will contact Jinnah there; he will be in Delhi about the 17th.

3. My Governors' Conference on the 8th August was useful and I sent you a telegram⁴ reporting the result of it. It is quite clear that the Muslims will be able to create really serious trouble if they wish. And Jai Prakash Narain is trying to ensure a violent revolution all over Northern India.

4. The Governors stressed the unreality of the present situation in which we are asked nominally to maintain law and order throughout India while actually power is allowed to pass to other hands, and not strong ones; no Government dares to check the violence of Jai Prakash Narain. We shall not be able to continue like this for long, but I will not dilate on the subject in this letter.

5. The post offices are at last getting to work again, but we can hardly hope for a complete respite from strikes. Already we have had to anticipate the threat of a strike by certain government clerical employees and have made concessions which will cost a considerable sum of money. The sooner the report of our Pay Commission can come out and be implemented, the better for everybody. It may of course be that an Interim Government will be able to control labour more effectively, but only if they are prepared to take a firm line with the agitation of the Communists and the Congress Left Wing.

6. The Sikhs are still fermenting, but for the moment the fact that constitution-making for the Punjab looks a little remote owing to the Muslim League resolutions has removed the sense of urgency. The Congress Sikhs definitely want to get into the Constituent Assembly, but there is a rival section of opinion; and there has not yet been any unanimous demand by the Sikhs for the filling of the seats.

7. I agree with the suggestion in your telegram No. 14259 of the 4th August⁵ that invitations to the Constituent Assembly should be signed by the Secretary. I have approved a form of the invitation, which reads as follows:—

"In pursuance of paragraph 21 of the Statement made by the Cabinet Delegation and His Excellency the Viceroy on the 16th May 1946, the Provincial Legislative Assemblies have elected their representatives to the Constituent Assembly. I am now, under His Excellency's instructions, to request you as a member of the Constituent Assembly to attend its first meeting which will be held at . . . a.m. on . . . September 1946, at the Constituent Assembly Chamber in the Council House, New Delhi."

I think this makes it clear enough that the Constituent Assembly is to function in accordance with the Statement of May the 16th, which is the main

point. I propose to leave over the question of a Provisional Chairman till I can discuss it with Nehru, and of course with Jinnah if Jinnah decides to come in. Meanwhile no invitations will be issued: I shall discuss with Nehru whether the holding of the Assembly should be postponed for a time in the hope of an agreement between the parties.

8. During the Working Committee meetings in Wardha, Nehru telegraphed to me asking for information about the despatch of troops to Iran. I replied that they had been sent to Iraq where they were welcomed, and not to Iran; that there were vital Indian interests in regard to oil supply, and many Indian lives, which were threatened; and that I hoped no embarrassing resolution would be passed now as I could explain all the issues involved when we met. I hope the Congress will not take this up. Their point is that the Legislature should have been consulted; but clearly this was impossible owing to the time factor.

9. Just before the Governors' Conference Mudie had trouble with two of his Ministers who made most violent speeches, including practically a threat to have "Quisling" Muslims murdered and to start a Jihad. Mudie has now succeeded in getting an assurance that the Ministers, while still in office, will not make statements of this kind in future, and that on the 16th August when the Muslim League holds its big day of protest meetings they will confine themselves to discuss[ing] the history of the recent negotiations from the League point of view and will let the Governor see the draft of what they propose to say. It looked at one time as if there might be a crisis; the Premier said that he would rather resign than lose these two colleagues by dismissal or resignation. In any other country they would have been dismissed and arrested; here we have to content ourselves with a promise that they will not do it again—till the next time.

10. Colville has done well in persuading his Ministry to ban ex-I.N.A. men from the Police, and the Ministry deserve considerable credit for their common-sense in taking this decision. The Bombay precedent will now be most useful in strengthening the hands of other Governors and it is clear that there is no directive from the Congress High Command to press this issue.

[Para. 11, on a report on the health of the industrial worker in India; and para. 12, on the proposed Indian Art Exhibition in London, omitted.]

⁴ No. 133.

⁵ No. 112; the date should be 3 August.

I47

Lord Petthick-Laurence to Field Marshal Viscount Wavell

L/PO/10/26

PRIVATE AND SECRET

INDIA OFFICE, 13 August 1946

Received: 17 August

I am back from my weekend at the Isle of Wight, feeling much the better for it, and have found your letter of 31st July¹ awaiting me.

2. I am glad that since you wrote the Congress leaders have to some extent belied your fear that they might fail to take a generous attitude towards the League. The Working Committee's resolution² makes most encouraging reading, so far as it goes, and one can only hope that this new spirit will be maintained. It has greatly facilitated your handling of your correspondence with Nehru and the line you proposed to take in your telegrams No. 1659³ and No. 1660-S,⁴ sent over the weekend, was clearly right; the Prime Minister had no hesitation in giving his approval.

3. Your other important telegram⁵ summarising the outcome of your conference with certain of the Governors, will need the most careful consideration. I need hardly assure you that the difficulties felt by the Governors, particularly by Wylie, are very present to our minds, but every solution to the problem is, as you yourself clearly feel, hedged about with difficulties. Perhaps the greatest difficulty of all is that it is quite impossible to foretell with what particular trouble we shall in fact be faced, or indeed whether we shall be faced with trouble at all; there now seems to be an outside possibility that Congress, feeling power within their grasp, may adopt an attitude generous enough to avoid any serious clash either with ourselves or with the Muslim League.

4. In paragraph 4 of your letter you mention the action being taken against our tribesmen following the kidnapping of the Political Agent in South Waziristan and you ask me whether I will take up with the Air Ministry the question of making a squadron of Halifaxes available. I find that Auchinleck is going to take an opportunity of mentioning this matter to the Chief of the Air Staff, and I think I had better wait and see whether his efforts, joined with those of the Air Officer Commanding-in-Chief are successful; if they look like failing I will lend my support.

5. Auchinleck, after various delays, arrived on Sunday and I understand he has gone down to Camberley for the Commander-in-Chiefs' Conference. I hope that I may be able to see him on his way back through London but I am not sure yet whether this will be possible.

6. I have now received the copy of the letter⁶ sent to you by the Nawab of Bhopal and I will consider it in conjunction with the comments which you have already telegraphed.⁷

7. You mention in paragraph 6 the recent interest taken by Congress leaders in the Portuguese and French possessions in India. This is certainly an unwelcome development, but so far it has not involved me in any serious difficulty with the Foreign Secretary. I am afraid however that if an Interim Government gets into the saddle we may hear more about the matter.

8. I am grateful for the further information you give me in paragraph 7 about the Posts and Telegraphs strike situation. I have now seen your Government's official telegram, dated 10th August,⁸ which seems to show that the whole thing is now over. People in this country have not the slightest idea of the dislocation which these strikes have caused and indeed it has not been easy even in the Office to get a clear picture of their extent. There seems, however, to have been a most encouraging absence of serious violence in connection with the strikes.

9. In your telegram of the 5th August, No. 1618-S⁹ you raised the question of the need for securing alternative employment for officers of the Secretary of State's Services whose services will be terminated as a result of the constitutional changes. I and my colleagues share with you the desire to do everything possible to secure alternative careers for those officers who wish to continue in employment and members of my Office, with Williams of your Home Department, have already had informal discussions with both the Treasury and the Colonial Office on this question.

While both these Departments are sympathetic they are of opinion that it is unlikely in view of the smallness of the cadres (the total strength of the administrative branch of the Home Service before the war was only about 1,500), their existing commitments and the claims of existing staffs, that they will be able to absorb more than a few of the officers who may be available. The Treasury may be able to take a small number of administrative officers but will require applicants to undergo a test of the type now being applied to administrative staff before appointment. Prospects of employment under the Colonial Office are not good except perhaps in the case of specialists such as doctors. No definite plans can be made, however, until information is available as to the number of officers likely to be needing employment, their ages and qualifications and the date they will be available.

¹ No. 98. ² No. 137.

³ Tel. 1659-S of 11 August repeated the text of No. 138. R/3/1/116. f 173. ⁴ No. 140.

⁵ No. 133. ⁶ No. 85. ⁷ See No. 113. ⁸ Tel. 5964. L/E/8/4899.

⁹ L/S&G/7/899.

The proposal to get the Cabinet to issue a directive on the lines you have in mind is, *prima facie*, attractive and I will give it further consideration, especially as some such idea has already been in the minds of my colleagues in considering the compensation question. But it is pointed out to me that as it is not in any case going to be easy to place many of these officers in Government service the issue of a directive might result in opposition from the Departments whose help and co-operation we are anxious to obtain.

It may well be that after we have done our best the great majority of officers will have to seek employment outside the Governmental field. As you know, generally speaking, business firms are inclined to be suspicious of Government employment agencies. Thus I think it would be wise to avoid constituting the India Office or even the Ministry of Labour and National Service (which is one of the main Agencies for employment of ex-members of H.M. Forces) an employment bureau for the India Services. It has been suggested to me that the best way of tackling this problem is for the Service Associations themselves to set up their own organisation to cover the commercial field and for that organisation to work in close contact with the India Office in the Governmental field. I suggest that at the appropriate time you should put this proposition to the Service Associations and at the same time assure them that the India Office will do its utmost to help. But you had better wait to do this until the Compensation issue has been fully thrashed out by my colleagues, several of whom are at present on the sick list or away from London.

10. I have lately seen Bourne's letter of 17th July to Burrows¹⁰ describing the Assam election to the Constituent Assembly and quoting in full the resolution passed. This is a more categorical rejection of the procedure for meeting in Sections than I had realised and increases Jinnah's justification for suspicion of the intentions of Congress.

It seems to me however that the anxiety of smaller Provinces not to have their Provincial Constitutions determined by the votes of representatives of other Provinces, is a natural one. There would be a lot to be said for the Sections dividing into sub-Committees of representatives of individual Provinces to work out the details of Provincial Constitutions subject to requirements of any Group constitution which may be decided upon by the Section as a whole. If the Muslim League are wise they will arrange something of this sort, but you may think it worth putting the idea into the mind of Rau and the Secretariat as a possibility which they might examine and put up for consideration when the time comes, of course as an idea of their own.

¹⁰ Enclosure to No 44.

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*Cabinet Paper C.P. (46) 324**L/SE&G/7/263: ff 48-53*

RECRUITMENT FOR THE INDIAN CIVIL SERVICE AND THE INDIAN POLICE
MEMORANDUM BY THE SECRETARY OF STATE FOR INDIA

INDIA OFFICE, 13 August 1946

This question was discussed on July 16th by the Prime Minister and the members of the Cabinet Mission to India,¹ and later, on July 31st, by the India and Burma Committee (I.B. (46) 3rd Meeting).² As a result a telegram was sent to the Viceroy giving him a strong lead in the direction of closing down both European and Indian recruitment to the Indian Civil Service and the Indian Police and of cancelling the offers already made to 73 "war service" candidates. I attach for reference (Annexure I) a copy of this telegram, which was circulated at the time to the Cabinet.

2. The Viceroy's reply has now been received and I attach a copy (Annexure II). It will be seen that he and his Council agree that recruitment to these services should cease forthwith and the offers of appointment already made should be cancelled.

3. It will, of course, be necessary to inform the candidates concerned as soon as possible and immediately afterwards to issue a public announcement. This is likely to attract a good deal of attention both in the Press and in Parliament in view of the following:

- (a) It is capable of being represented as impairing the efficiency of the administration of India.
- (b) On 12th February last it was publicly announced that we did not propose to hold in abeyance the "war service" scheme of recruitment instituted by the last government.
- (c) 73 offers of appointment have been made and 54 accepted, and successful candidates were expected to sail for India next month. Incidentally in this connection the question of compensating them will arise, but the sum is not likely to be large.

The main arguments which in the view of myself and the I. & B. Committee override the foregoing objection are contained in the telegrams in Annexures I and II.

4. I accordingly attach a draft of the public announcement which I propose to make (Annexure III) and ask my colleagues' concurrence in its issue.

¹ See No. 38.² No. 94.

Annexure I to No. 148

COPY OF TELEGRAM FROM SECRETARY OF STATE TO VICEROY DATED
2ND AUGUST, 1946

[*There follows the text of paras. 1-5 of No. 109.*]

Annexure II to No. 148

COPY OF TELEGRAM FROM VICEROY TO SECRETARY OF STATE DATED
11TH AUGUST, 1946

[*There follows the text of No. 139.*]

Annexure III to No. 148

DRAFT ANNOUNCEMENT

Recruitment by the Secretary of State for India to the India Services

In view of recent developments in the political situation in India it has been decided not to proceed with the appointment of "war service" candidates to the Indian Civil Service, the Indian Political Service and the Indian Police under the recruitment scheme which was announced on 1st June 1945 and of which particulars were published in the pamphlet IBS. 1³ regarding Civil Appointments in India.

Notification of this decision has already been sent by the India Office to all European candidates under the scheme who are affected by it.

³ L/S&G/7/263: ff 233-52.

I49

Cabinet C.M. (46) 78th Conclusions, Minute 4

L/S&G/7/263: f 44

Those present at this Meeting held at 10 Downing Street, S.W. 1, on 14 August 1946 at 11 am were: Mr Attlee (in the Chair), Mr Herbert Morrison, Lord Jowitt, Mr J. Chuter Ede, Viscount Addison, Lord Pethick-Lawrence, Mr G. H. Hall, Mr G. A. Isaacs, Mr E. Shinwell, Mr T. Williams

Also present during discussion of item 4 were: Mr John Strachey, Lord Nathan, Marshal of the Royal Air Force Lord Tedder, Admiral Sir John H. D. Cunningham, Lieutenant-General F. E. W. Simpson, Sir Oliver C. Harvey, Sir Bernard Gilbert

Recruitment for the Indian Civil Service and Indian Police

The Cabinet had before them a memorandum by the Secretary of State for India (C.P. (46) 324)¹ proposing that both European and Indian recruitment to

the Indian Civil Service and the Indian Police should cease forthwith and that the offers of appointment already made to war service candidates under the scheme announced on 1st June, 1945, should be cancelled.

THE SECRETARY OF STATE FOR INDIA said that the proposal made in C.P. (46) 324 had been discussed by the Prime Minister with members of the Cabinet Mission to India² and later by the India and Burma Committee (I.B. (46) 3rd Meeting, Minute 2).³ Since then there had been an exchange of telegrams⁴ with the Viceroy from which it was clear that both the Viceroy and his Council agreed that recruitment should cease forthwith and that the offers of appointment already made should be cancelled. If the Cabinet approved the proposal, it would be necessary to inform the candidates concerned as soon as possible and immediately thereafter to issue a public announcement which would no doubt give rise to some criticism for the reasons set out in paragraph 3 of C.P. (46) 324. It seemed clear, however, that the appointment of further Europeans to the Indian Civil Service and the Indian Police would be bound to provoke resentment in India and that there would be great unwillingness on the part of Provincial Governments to employ any such officers. Some compensation would have to be given to the candidates to whom offers of appointment had already been made, but the amount involved would be much less than if they were allowed to take up their appointments and subsequently had to be compensated. A draft of the public announcement which it was proposed to make was annexed to C.P. (46) 324.

In discussion it was suggested that the opening words of the announcement should read: "In view of the pending constitutional changes in India and the consequent uncertainty as to the conditions of service, it has been decided not to proceed with the appointment of war service candidates to the Indian Civil Service."

The Cabinet—

Approved the proposal to cease recruitment to the Indian Civil Service and the Indian Police and to cancel the offers of appointment already made, and agreed that, subject to the amendment suggested in discussion, an announcement in the terms of the draft annexed to C.P. (46) 324 should be made.⁵

¹ No 148.

² See No 38.

³ No 94.

⁴ Nos. 109 and 139.

⁵ Lord Pethick-Lawrence informed Lord Wavell of this Cabinet decision and of the text of the announcement agreed by the Cabinet in tel. 14985 of 15 August. The last para of Lord Pethick-Lawrence's telegram read:

'You will note that announcement relates only to "war service" recruitment scheme and does not specifically state that no further appointments to Services in question will be made. This is deliberate and wording of announcement here should be carefully followed in any announcement issued in India as Cabinet wish to avoid being definitely committed at present to complete cessation in any circumstances of further recruitment to Secretary of State's Services.'

L/S&G/7263: f 43.

In tel. 1704-S Lord Wavell sent Lord Pethick-Lawrence the text of the announcement he was issuing in India. L/PO/10/26.

I 50

Mr Abell to Mr Clauson

Telegram, R/3/1/116: f 193

IMMEDIATE
CONFIDENTIAL

NEW DELHI, 14 August 1946, 1.30 pm

Received: 14 August, 11.10 am

No. 1683-S. Congress reactions to latest political move are naturally very favourable. Nehru has announced that he is writing to Jinnah asking for his cooperation in formation of Coalition Government. There are however no signs of willingness on the part of the League to compromise and *Dawn's* leader today ends up as follows:—

"The moment that a Hindu Government is set up without consent and collaboration of the Muslims the first shot of aggression will have been fired against them and that will be the signal for the Muslims to do or to die. It is inevitable".

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Mr Attlee to Mr Gandhii

Attlee Papers. University College, Oxford

14 August 1946

Dear Mr. Gandhi,

Thank you for your letter introducing Mr. Ghosh.¹ I much enjoyed a talk with him. I trust that a complete settlement between our two countries may be attained.

I think that the last time we met was in the House of Commons with George Lansbury.

I trust that you keep well.

Yours sincerely,

C. R. ATTLEE

¹ No. 3.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&J/10/100: f 242

IMPORTANT

INDIA OFFICE, 14 August 1946, 2.40 pm

CONFIDENTIAL

No. 14867. Your telegram No. 1605-P of August 3rd.¹ I concur in your proposed reply to Nawab of Bhopal's letter of July 29th,² of which copy reached me only on 9th August, subject to comments below.

2. Second sentence of para. 4 of Nawab's letter seems to imply that Princes' acceptance of Statement of May 16th was subject to condition that there should be no departure from fundamental provisions of plan without agreement of majority of States' representatives in Constituent Assembly. Possibly representations were made at Bombay to Political Adviser covering this point and that dealt with in para. 3 of your draft. But I note that Statement issued by Standing Committee on June 10th contained no such reservation.

3. As this correspondence may at some stage have to be published you may care to consider omitting the last sentence of your draft but I leave this to your discretion.

4. I should be grateful for copy of your letter of July 21st³ replying to Chancellor's letter of July 14th.⁴

No. 113

² No. 85.

⁴ No. 27.

I 53

Press Release by India Office¹

L/P&J/10/73: f 73

undated

CORRESPONDENCE BETWEEN MR. JINNAH AND PANDIT NEHRU

The Nehru-Jinnah meeting on August 15 did not produce an agreement between Congress and the Muslim League in regard to the immediate formation of a provisional National Government. Prior to the meeting between Pandit Nehru and Mr. Jinnah there was an exchange of letters between the leaders.

Following is the text of the correspondence.

¹ The contents of this release were sent to the India Office by the G. of I., Press Information Bureau in tel. A 3344 of 16 August 1946.

Letter from Pandit Nehru to Mr. Jinnah dated Wardha August 13: "As you know the Viceroy has invited me, in my capacity as President of Congress, to make proposals for the immediate formation of an Interim Government. I have accepted this invitation. I feel my first step should be to approach you and seek your cooperation in the formation of a coalition provisional Government."

"It is naturally our desire to have as representative a Government as possible. Should you wish to discuss this matter further with me before coming to a decision I shall gladly see you in Bombay or wherever you may be. I am leaving Wardha on August 14 and will reach Bombay in the fore-noon of August 15. Probably I shall leave Bombay for Delhi on the morning of August 17."

Reply from Mr. Jinnah, dated Bombay August 15: "I have received your letter dated August 13, delivered to me yesterday by hand. I know nothing as to what has transpired between the Viceroy and you, nor have I any idea what agreement has been arrived at between you two except what you say in your letter, that the Viceroy has invited you, in your capacity as President of Congress, to make proposals for the immediate formation of an interim Government, and that you have accepted the invitation. If this means the Viceroy has commissioned you to form an Executive Council of the Governor General, and has already agreed to accept and act upon your advice, and proceed to constitute his Executive accordingly, it is not possible for me to accept such a position on that basis."

"However, if you care to meet me, on behalf of Congress, to settle the Hindu-Muslim question and resolve the serious deadlock, I shall be glad to see you today at 6 p.m."

"The substance of your letter unfortunately has already appeared in the Press even before I received it. May I therefore request you to release this letter of mine also to the Press?"

Letter from Pandit Nehru dated August 15 to Mr. Jinnah: "Thank you for your letter of today's date which was delivered to me about 1 p.m. Nothing has transpired between me and the Viceroy except what has already been published. There is no arrangement other than what is contained in his brief offer and our acceptance. That offer, made by the Viceroy with the concurrence of the British Government, is for us to make proposals for the immediate formation of an interim Government. The Executive Council of the Governor-General has not been mentioned as such. It is understood, as stated in the published correspondence between the Congress President and the Viceroy, that the interim Government will have the greatest possible freedom in the exercise of the day to day administration of this country."

"Since this brief offer was made, and we accepted it, I have had no opportunity to meet the Viceroy, or discuss the matter with him more fully. I hope to do so within the next two or three days. It was our wish however, that I

might approach you first and invite your cooperation. We are naturally anxious to form a Government which will be as representative as possible in order to deal with the urgent problems facing the country. In your letter you stated that you are unable to accept the position as it appears to you. I regret this. Perhaps on fuller consideration of the position you would be agreeable to reconsider your decision. If so we would welcome it. For this purpose I shall gladly see you if you so desire."

"As regards the general Hindu-Muslim question, we are always prepared to discuss this and try to find a way out. Just at present we are immediately concerned with the formation of a provisional Government, and circumstances demand that early steps should be taken in regard to it. We hope a coalition provisional Government will itself help in the consideration and solution of our problems. While I am willing to discuss the larger question with you, I have no new suggestions to make. Perhaps you may be able to suggest a new approach. I am prepared to come to your place at 6 p.m. this evening, or if it is more convenient to you, some time tomorrow. I am leaving Bombay on the morning of August 17."

"My letter to you was not sent to the press. I made a brief statement to the press however, in view of the repeated questions put to me by newspapermen, and in order to prevent misconceptions. If you so desire you can release all this correspondence to the Press."

Letter from Mr. Jinnah, dated August 15 to Pandit Nehru: "I am in receipt of your letter of August 15 delivered to me about 3.30 p.m. and I thank you for it. I have already made my position clear in my letter dated August 15 sent to you this morning. But as you have given certain explanations, with some of which I must not be taken to agree, and as you desire we should meet, I shall be glad to see you today at 6 p.m. I agree with you that in order to prevent any misconception in the mind of the public our correspondence should be published, and accordingly I am releasing it to the Press."

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Sir F. Burrows (Bengal) to Lord Pethick-Lawrence

Telegram, L/P&J/8/577: f 52

IMMEDIATE
CONFIDENTIAL

CALCUTTA, 16 August 1946, 8.20 pm
Received: 16 August, 11.20 pm

192. Fairly complete hartal is being observed in Calcutta and suburbs today. All road transport has observed one day's stoppage. Offices, commercial houses, places of business generally have observed the holiday, except some Hindu

shops in predominantly Hindu areas. Railway traffic not, repeat not, seriously affected and public utilities such as electricity and water not, repeat not, interfered with.

Communal trouble started as early as 7 a.m. in Maniktolla area in north-east Calcutta and has continued and spread throughout the day. Situation up to 6 p.m. is that there have been numerous and widespread communal clashes in Calcutta, accompanied by some looting of shops, arson. Weapons employed appear to have been chiefly brick bats but in a number of cases shot guns have been used by members of both communities and some cases of stabbing have been reported. Police have had to resort to tear smoke on several occasions and there has been some police firing (isolated shots) on riotous crowds engaged in communal strife, casualties not yet known.

We have asked military to undertake keeping open of certain important thoroughfares with mobile patrols if police find themselves unable to do so. Otherwise we are holding situation with our own resources.

A marked feeling of panic, especially among Hindu traders in north Calcutta, has been feature of situation since early in the day and has given rise to many wild reports far exceeding actualities, but position has been dangerous and I am unable as yet to say that we have passed the worst. Mass meetings of Moslems on Calcutta maidan is now over and there is possibility of increase in cases of stabbing and looting and of retaliation by Hindus as processionists return to their homes.

Reports of a riot with two fatalities at Champdani, in Hooghly mill area, and of sporadic rioting with two killed and 50 injured in Howrah, are only reports so far received of trouble outside Calcutta.

Disturbances so far have been markedly communal and not, repeat not, in any way anti-British, anti-(?omission) or anti-Government.

ISS

Sir E. Jenkins (Punjab) to Field Marshal Viscount Wavell

Telegram, Wavell Papers. Political Series, June-December 1946, pp. 104-5

IMMEDIATE

16 August 1946

SECRET

No. 75-G. Baldev Singh saw me this afternoon and asked that in view of Panthic Board's new resolution¹ immediate arrangements should be made for a bye-election of Sikh representatives to Constituent Assembly. He explained that there was only one dissident in Panthic Board who was a follower of Kharak Singh. The Board were at first doubtful but were influenced by (a)

belief that Your Excellency and Congress desire to help Sikhs (Patel had apparently told Sikh delegation that your intention was to allot Defence portfolio to a Sikh) and (b) attitude of Muslim League. Baldev Singh advises bye-election before end of August and would like it held at Simla.

2. I pointed out that in view of Muslim League attitude it was uncertain whether Constituent Assembly would meet at all and bye-election at this juncture might be thought inappropriate. Baldev Singh replied that Sikhs would like to elect their representatives so that they might be in a position to enter Constituent Assembly whenever it met. He added that after meeting of Panthic Board there was an apparent spontaneous demonstration against decision and that if bye-election is delayed Kharak Singh might work up renewed opposition.

3. I think it would be sound to hold bye-election and if this is approved I would settle suitable programme and summon Sikh members of Punjab Assembly to Simla for actual election. A simple procedure of this kind would I think be sufficient for a bye-election.²

¹ See Enclosure to No. 158 for the resolution passed by the Panthic Board on 14 August 1946. At the same meeting the Board decided to participate in the Interim Government.

² On 17 August Mr Menon advised Mr Abell that the procedure suggested in this para. might be agreed to. On 27 August Mr Abell minuted that Lord Wavell felt they should not proceed with the Sikh by-election for the present and that the Governor's Secretary, Punjab, had been informed accordingly. Mountbatten Papers, Official Correspondence Files Sikh Problem, Part I(a): ff 29, 41.

I 56

Mr Abell to Mr Menon

Mountbatten Papers. Official Correspondence Files: Sikhi Problem, Part I (a): f 20

No. 592/63.

16 August 1946

My dear Menon,

H.E. asks for advice about the attitude to be adopted if Pandit Jawaharlal Nehru suggests the inclusion of a Sikh in the Interim Government.

2. The Sikhs have not formally accepted the Statement of the 16th May, and H.E. feels that if a Sikh is taken into the Interim Government without such formal acceptance, a propaganda point of some value would be given to Mr. Jinnah. We have been so particular about the acceptance of the Statement of the 16th May being a qualification for the Interim Government that H.E. thinks we should not take any chance, but he would be grateful for your advice.

Yours sincerely,

G. E. B. ABELL

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*Mr Menon to Mr Abell**Mountbatten Papers. Official Correspondence Files: Sikh Problem, Part I (a): f 22*

D.O. NO. 305/46-5

NEW DELHI, 16 August 1946

My dear Abell,

Please refer to your letter No. 592/63 of today's date¹ regarding the inclusion of a Sikh in the Interim Government.

2. The resolution² passed by the Panthic Board (copy enclosed for ready reference) states that "the Board is of the view that the situation calls for an earnest effort by the Sikhs to give the Constituent Assembly method a fair trial to secure for the Sikhs similar safeguards in the Union and the provincial spheres as are provided for the two major communities in the long-term proposals"; and again that "the Board advises the Sikh M.L.A.s to return their representatives to the Constituent Assembly". I think this resolution must be taken as a clear indication of the willingness of the Sikhs to accept the Cabinet Mission's Statement of the 16th May 1946 for the purposes of paragraph 8 of the Statement of the 16th June. If, therefore, a copy of the resolution is forwarded to H.E. by the Panthic Board, as I have no doubt it will be, the Sikhs would in my view have qualified for inclusion in the Interim Government.³

Yours sincerely,

V. P. MENON

¹ No. 156. ² See Enclosure to No. 158.

³ Notwithstanding Mr Menon's advice, on 19 August Mr Abell wrote to the Secretary of the Panthic Board to ask if Lord Wavell could be informed officially that the Sikh community had accepted the Statement of 16 May. On 22 August the Secretary of the Panthic Board confirmed that the Board had accepted the Statement 'in order to give the Constituent Assembly method a fair trial for the purpose of getting necessary modifications made in the Cabinet Mission's Scheme to ensure justice to the Sikh community in the future Constitution of India' Mountbatten Papers, Official Correspondence Files: Sikh Problem, Part I(a) ff 34, 39

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*Sardar Baldev Singh to Mr Abell**Wavell Papers. Political Series, June-December 1946, pp. 105-6*

SIMLA, 17 August 1946

I enclose herewith the resolution passed by the Panthic Board at a meeting held on the 14th instant, for His Excellency's information.

Enclosure to No. 158

FULL TEXT OF THE RESOLUTION PASSED AT THE MEETING OF
THE PANTHIC BOARD HELD AT AMRITSAR ON 14TH AUGUST 1946

"The Panthic Pratinidhi Board met on 11th and 14th of August to consider the situation created by events and the developments that have taken place since July 5th when the Board reiterated its decision to boycott the Constituent Assembly. During this period, the Secretary of State for India, during the debate in the House of Commons on July 18th,¹ made an appeal to the Sikhs to reconsider their boycott decision and His Excellency the Viceroy has also in his replies to communications from certain Sikh gentlemen expressed his willingness for the accommodation of the Sikh viewpoint.

"The main factor is, however, the resolution of the Congress Working Committee of August 9th² in which the Congress has recognised that injustice has been done to the Sikhs by the Cabinet Mission's proposals and has declared that it will give all possible support to the Sikhs in redressing their legitimate grievances and in securing for the Sikhs adequate safeguards for protecting their interests.

"The Congress Working Committee has further appealed to the Sikhs to reconsider their resolution of boycotting the Constituent Assembly. This resolution of the Working Committee must be read along with the Lahore Congress resolution of 1929—that no solution of the communal problem in any future constitution would be acceptable to the Congress that did not give full satisfaction to the Sikhs—as well as with the recent speeches and statements of the prominent Congress leaders to the effect that the Sikhs must be given similar safeguards as are provided to the two major communities in paragraphs 15 and 19 of the Cabinet Mission proposals.

"Though the grave apprehensions of the Sikh community concerning their future under the Cabinet Mission scheme continue to exist, yet the appeal and the assurances of the Indian National Congress carry weight with the Board.

"In these circumstances and after careful deliberations, the Board is of the view that the situation calls for an earnest effort by the Sikhs to give the Constituent Assembly a fair trial to secure for the Sikhs similar safeguards in the Union and the Provincial spheres as are provided for the two major communities in the long-term proposals.

"The Panthic Board is further of the view that like the boycott method, this method in order to be effective and successful requires the united, disciplined and determined support of the Panth, and the Board earnestly appeals to all Sikhs for all support.

¹ The venue was the House of Lords. See *Parl. Debs.*, 5th ser., H. of L., vol. 142, col. 589.

² In their resolution of 9 August 1946 the Congress Working Committee stated they had 'learnt with regret' of the Sikhs' decision not to participate in the Constituent Assembly and asked them to reconsider it.

"If unfortunately such methods fail, then the Panth will be doubly justified in going back to its previous resolve of boycott and direct action and in recalling the Sikh members of the Constituent Assembly.

"The Board, therefore, advises the Sikh M.L.As. to return their representatives to the Constituent Assembly and those Sikh representatives will raise the question of the safeguards mentioned above in the preliminary meeting of the Constituent Assembly and the Board expects that all the parties in the Assembly will support the Sikh demand in this behalf."

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Sir F. Burrows (Bengal) to Field Marshal Viscount Wavell

Telegram, L/P&J/8/577: f 51

IMMEDIATE
CONFIDENTIAL

CALCUTTA, 17 August 1946, 10.40 am
Received in India Office: 17 August, 1.25 pm

No. 193. My telegram 192 of August 16th.¹ Communal disturbances. Following is situation up to 10 a.m. today. Situation in Calcutta deteriorated after dark last night and to get crowds off the streets we were obliged to order curfew from 9 p.m. to 4 a.m. This, aided by a heavy thunderstorm, was effective for a time but by midnight gangs were out again in many quarters terrorising householders and there was some looting and arson and much stabbing.

At request of civil authorities Army took over patrolling of certain main streets about 2 a.m. and this seems to have had both a quietening and a heartening effect.

Situation eased and incidents became fewer between 3 a.m. and 7 a.m. but tension is reported to have risen again since then and stabbings continue. Casualties from stabbing and communal rioting are reported heavy but not even approximate figures are yet available. Those murdered probably run well into three figures.

Tension exists this morning in Howrah but there and elsewhere in the province no further incidents are reported.

Repeated to Secretary of State for India

¹ No. 154.

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Field Marshal Viscount Wavell to Lord Pethick-Lawre

Telegram, R/3/1/181: f 33

TOP SECRET
IMPORTANT

NEW DELHI, 17 August 1946, 3.45 pm
Received: 17 August, 3.20 pm

No. 1709-S. Your telegram 14185 dated the 1st August 1946.¹ Service protection. Paragraphs 3 and 4. I could not agree to officers who have rendered themselves unacceptable to Congress by the discharge of their duty not receiving full compensation if they are thereby compelled to leave India. A situation has already been reached in which grave doubts are entertained both by Governors and by myself of our capacity to protect effectively members of the Secretary of State's Services. Officers have incurred the displeasure of Congress not only for their action in suppressing the rebellion in 1942 but also for a wide variety of other unimpeachable activities undertaken in the discharge of their duties and there could be no justification for depriving them of compensation because Congress resentment of their activities had rendered it intolerable for them to continue in service in India. If I am satisfied by the Governor that an officer's further service is made impossible by Congress animosity I consider that he should be permitted to go on leave at once. Some provision would presumably be required to make their cases an exception to the general ban against retirements which will continue until the end of this year.

2. I do not suggest that they should be immediately given compensation but I believe that compensation terms should be announced at once and that a date should be fixed for their award.

3. I will telegraph separately soon about the question of winding up the Secretary of State's Services.

¹ No. 107.

161

Sir F. Burrows (Bengal) to Field Marshal Viscount Wavell

Telegram, L/P&J/8/577: f 50

IMMEDIATE
CONFIDENTIAL

CALCUTTA, 17 August 1946, 5.30 pm
Received in India Office: 18 August, 1 am

194. Communal disturbances. From reports and from my own observation it is clear to me that looting and murder were widespread and in some areas intense

during hours of darkness last night and I regret to say situation in this respect deteriorated again this afternoon and is not yet (4 p.m.) appreciably better.

We have of course forbidden assembling of 5 or more persons in public places and the carrying of any kind of weapon, but difficulty is to enforce latter with the forces at our disposal and in view of the guerilla tactics of those engaged in disturbances. We shall enforce curfew tonight as strictly as possible. Meanwhile 3 battalions of British Troops are being utilised this afternoon in support of police in an operation designed to clear up one of the worst areas (about 3 square miles lying between Bo Bazar Street and Vivekananda Street). Elsewhere we are employing pickets and patrols to control a situation which it must be admitted has at times been locally out of hand.

All road traffic, shops, markets and businesses are at a standstill. Electricity and water unaffected so far. Municipal scavenging of course is paralysed and in some areas the streets are a shambles with corpses (grossly mutilated) and debris from looted shops. Hospitals early this morning reported over 170 dead and nearly 1,000 injured, but numbers of both categories must be many times these figures.

I saw Sarat Bose this morning and I am going to consult my Chief Minister about getting principal leaders together to make a joint appeal. Meanwhile I am myself broadcasting this evening.

Repeated to Secretary of State for India.

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Sir F. Wylie (United Provinces) to Field Marshal Viscount Wavell (Extract)

L/P&J/5/275: ff 117-18

SECRET

17 August 1946

U.P.-39

6. I am still unable to give you any useful information about Muslim intentions following upon your request to Nehru to make proposals for the formation of an interim Government. The "direct action" celebrations yesterday seem to have passed off quietly everywhere in the Province. At any rate I have so far had no information of trouble anywhere. I had a long talk with a very prominent Muslim League lady the other day, Begum Aizaz Rasul a member of the Malerkotla family married to one of our talukdars. She made little secret of the fact that she and her kind are quite dismayed at the Bombay resolution. She blames Jinnah in no unmeasured terms and is much concerned about future developments. Her husband, who is a Nawab, first of all renounced his title and then renounced his renunciation! I have been actually a little surprised at

the reluctance with which our Muslim League title-holders are giving up their titles. A trickle of letters comes in every day, but the total is still very small. Pandit is keeping Abell in touch with the matter. We propose, if Your Excellency sees no objection, to keep all the badges etc. here. For if Nehru and Jinnah succeed in producing a coalition Government at the centre—which seems at the moment to be highly unlikely—I am sure these people will all want their badges back! I am keeping in the closest possible touch with League opinion not only directly but through our C.I.D. and through the Central Intelligence Officer, but there is nothing tangible to report yet. Leadership of the Muslim League here is for the most part in the hands of the talukdars and zamindars. They will move—if they move at all—cautiously and unwillingly. The trouble is however that their leadership is not effective. The bulk of the Muslim population is in the towns while the landlords, apart from the fact that as a privileged class they are averse from violence anyway, have their roots and influence in the villages. If, which I hope will not be the case, “direct action” on the part of the Muslims should take a violent turn, Muslim leadership will I fancy quickly pass to other hands when the present landlord set-up will fade out of importance.

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The Nawab of Bhopal to Field Marshal Viscount Wavell

R/3/1/143 ff 4-5

TOP SECRET AND PERSONAL BHOPAL, CENTRAL INDIA, 17 August 1946

My dear Lord Wavell,

Press reports indicate that negotiations between Mr Jinnah and Pundit Jawaharlal over the question of Interim Govt., and “direct action” by the Moslem League, have failed.

If no settlement is reached soon between the Moslem League and the Congress, and the Congress alone forms the Interim Government, the situation will become extremely tense, and most difficult. The fate of the Moslems will hang in the balance, and they will be facing a situation which will require supreme effort of every Musalman if they are to be saved from annihilation. No true Moslem worth the name can remain a silent spectator to events which will follow in the wake of the formation of a Govt. by the Congress (the Hindus) alone.

In my present position as Chancellor and Ruler it will not be possible for me to act in accordance with the dictates of my conscience. I would consider it my duty in the circumstances explained above to free myself of the shackles

that at present bind me, and I shall abdicate at once, and place my services unreservedly at the disposal of my Moslem countrymen.

I had in the course of my conversation with you last June¹ promised Your Excellency to give you advance warning should I in the near future contemplate to take this decision. I am, therefore, losing no time in informing you how my mind is working in view of the coming crisis.

When I take my final decision I shall again let Your Excellency know in advance.

Yours sincerely
HAMIDULLAH

¹ cf Vol. VII, No. 501, para. 5

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/117: ff 18-19

IMMEDIATE
CONFIDENTIAL

NEW DELHI, 18 August 1946, 7 am
Received: 18 August, 10.5 am

No. 1713-S. I had long discussion with Nehru this evening.¹ He told me he had offered Jinnah assurances about conduct of Constituent Assembly, that no major communal issue would be settled without majority of both parties, that disputed points would be referred to the decision of the Federal Court, and that while Congress did not like the idea of grouping and preferred autonomous provinces under the Centre they would not oppose grouping by provinces if the provinces wished it. Nehru made Jinnah an offer of five seats in an Interim Government of fourteen on the same lines that I had proposed² and said that any names put forward by the League would be accepted by Congress. Minority representatives would be suggested by Nehru for my consideration. Jinnah raised point of Nationalist Muslim and Nehru said that he did not see how League could object if the seat came out of Congress quota. After Jinnah's refusal Nehru said that Congress would always welcome cooperation by the League in the Government and the Constituent Assembly as soon as the League felt disposed to come in. Jinnah's only proposal was apparently that all action should be held up for six months. Nehru said that his impression was that Jinnah had gone farther than he had intended and was at a loss how to get out.

2. Nehru said he would propose to me names of six Congress nominees and three minority representatives and thought the five Muslim seats should be filled temporarily with neutral Muslims. He was not in favour of leaving these seats vacant for the League but was prepared that Government should be reformed on League indicating willingness to participate.

3. Nehru mentioned certain names but was not prepared to make final proposal. Sub-committee consisting of Patel, Azad and Prasad has been appointed to assist Nehru about Interim government, and matter will be considered further by them. If Nehru comes into Government Prasad will probably be President of Congress.

4. Nehru said that if League would not come in Congress would prefer fifteen members to fourteen, and would like to include an Anglo-Indian.

5. Some Muslim names were mentioned. Only one I knew was Asaf Ali. List will be considered further.

6. Nehru was not ready to make proposals about portfolios. We had some discussion about War Member and I emphasized importance of appointing someone commanding confidence of Army.

7. Nehru thinks Constituent Assembly should be summoned about middle of September.

8. I will telegraph further tomorrow after consideration of Nehru's provisional list. Nehru was friendly and reasonable.

¹ A fuller note of Lord Wavell's interview with Pandit Nehru on 17 August is on R/3/1/117: ff 11-16. The note includes Nehru's first provisional nominations to the Interim Government which in the case of the Congress, the Congress Scheduled Caste and the minority representatives are the same as those given in No. 171.

² No. 63.

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Minutes by Mr Scott and Field Marshal Viscount Wavell

R/3/1/117: f 7

18 August 1946

Yesterday I saw Qazi Isa and one of the Ispahanis; I saw them separately, and the latter by accident, though I knew him before. Both of them expressed very similar views about the chances of the Muslim League joining the Interim Government. Ispahani claimed, and I believe it is true, that his firm exercised very strong pressure on the Muslim League earlier on, to make them take a reasonable line; he represents one of the biggest Muslim industrial combines, and is not at all fanatical, though a convinced Muslim Leaguer.

My object was to find out what terms Jinnah wanted in order to come into

the Interim Government. Both Qazi Isa and Ispahani said that if something could be done to save his face, he would be prepared to accept the composition of Council as accepted by the Muslim League on June 25th.¹ Both made it clear, however, that he would not accept this from Nehru, but would from H.E.

There would be two hurdles in the way: one was the question of a Nationalist Muslim and the other the removal of the decision not to accept the Statement of May 16th. Ispahani asked if it would be possible to give Jinnah an assurance that Nehru would not include a Nationalist Muslim; I replied that it would be impossible for H.E. to give that, but that it might be possible for neither the Congress nor the League to agitate the matter; and in fact for the Congress not to nominate a Nationalist Muslim. That would of course require restraint on both sides; and both Ispahani and Qazi Isa said that this would be forthcoming from Jinnah. Qazi Isa in fact offered to fly to Bombay tomorrow and bring Jinnah to Delhi, if H.E. would undertake this mediatory task, and simply ask Jinnah to come and see him.

So far as saving face was concerned, Ispahani first asked whether it could be made clear that Jinnah would be consulted about the minority representatives; I said he would not, as Nehru had been asked to make proposals; but if Jinnah came in, no doubt some consultation could be arranged, though there could be no guarantee of this. I asked whether Jinnah could not maintain the Muslim League position about the Constituent Assembly for the present, and simply announce that he was joining the Interim Government, without prejudice, and to safeguard Muslim interests, particularly economic interests. Ispahani finally agreed that this would do, and was all that could now be expected, though he would have liked something more definite as a face-saver. Both of them agreed that it would not be necessary to call the All-India Committee together to approve this, but only the Working Committee.

It is clearly impossible for H.E. to have any dealings with Jinnah without the full knowledge of Nehru, if suspicion is to [be] avoided; and if there are dealings, it should be made clear to Nehru that this is not to delay matters or to resume interminable discussions, but to make one last effort at a coalition government in the interests of India as a whole, and so also of the Congress itself. I think he would agree that the attempt should be made; and if these two representatives of the Muslim League know Jinnah as they claim to, the attempt might be successful. At any rate it seems to me well worth making. The Constituent Assembly could be left to look after itself for the present; if a coalition Interim Government was formed, we should be a long way on the road; and no interpretation of the famous paragraph 8 should be allowed to stand in the way of getting the Muslims in, if it can possibly be managed.

We have discussed this and agreed that I should propose to Nehru that I should see Jinnah and make a final effort to get him in.

18/8

See Vol. VII, No. 611.

166

Note by Field Marshal Viscount Wavell

R/3/1/117: f 21

TOP SECRET

18 August 1946

Note for P.S.V.

The main difficulty about the Congress proposals is the question of seats for Muslims.¹ I can recommend HMG to accept at once the six Congress nominations—or rather five, since I gather that Nehru and Rajendra Prasad are alternatives. I can also recommend two of the Minority representatives, since they were in the list of June the 16th. The Parsee is, however, an unknown quantity, about whom we must enquire; and it is open for question whether it is necessary or desirable to have a Parsee; Congress may have included him simply because there was a Parsee in the list of June the 16th. It may be preferable to have a representative of the Anglo-Indians, though I have no high opinion of the recognised Anglo-Indian leader.

2. It is in the matter of the Muslim representatives that I am worried. The names Nehru gave me are, I should say, mostly nonentities, or Congress Muslims. I feel that to include them would probably destroy the last chance of Jinnah coming in. Also I think it is likely that any neutral Muslim may refuse, as Zakhir Hussain has done, to avoid being boycotted or prosecuted [?persecuted] by other Muslims. It would be undignified to have to tout round to get unimpressive Muslims simply to fill up the places; and it would not conduce to efficiency.

I presume you are doing your best to obtain some particulars of the Muslims whose names Nehru gave me.

3. If we can persuade Congress to agree, I am sure it will be much better to leave the 5 Muslim seats vacant, for say one month, to give the League an opportunity of coming in; and carry on for that month with an Executive Council of 9. This would enable the Government to be formed immediately, without waiting to approach these outside Muslims. I could agree that if no

¹ See No. 164.

approach had been made by the Muslim League at the end of the month we would fill the remaining 5 places and redistribute the portfolios.

4. The other critical point is the War Member. I do not think that Congress will attempt to put in a Congress Hindu; but it is just possible that they might propose Asaf Ali, which of course I could not accept. The best proposition seems to be Baldev Singh; but I must approach the Commander-in-Chief to find out what his reactions would be.

5. I think the immediate action necessary on our part is as follows:

- (a) Ascertain as far as possible, with all necessary secrecy, particulars of the Parsee and Muslims on the list I gave you last night.
- (b) Send a further telegram to the Secy. of State, suggested draft attached.²
- (c) Decide on time of further meeting with Congress; I think it might be advisable for me to meet the whole of the Congress Committee and not only Nehru.

6. I think I might perhaps get Sir Maurice Gwyer to dinner and discuss with him, he may know some of the persons involved.

W.

² Not printed. Lord Wavell's draft telegram was not in fact sent to Lord Pethick-Lawrence and was superseded by No. 171.

167

Mr Abell to Field Marshal Viscount Wavell

R/3/1/117: f 27

18 August 1946

I have asked Mr. Menon for his views about the filling of the Muslim League seats in the new Executive Council.

2. He is strongly of the view that Y.E. should make an attempt to persuade Jinnah to come in. Such an attempt could not be made without the acquiescence of Nehru, but it should be possible to obtain this. The lines to take with Nehru would be:

- (a) that Y.E. had no intention whatever to take away from Nehru the responsibility that had been laid upon him;
- (b) that the state of communal feeling made it imperative to leave no stone unturned to secure Jinnah's cooperation; and
- (c) that Nehru himself had said that Jinnah was looking for a way out. Therefore, it would be best for Y.E. to see Jinnah and thus in some degree "save his face."

3. Menon thinks that if you put this firmly enough Nehru will agree, especially in the light of occurrences in Calcutta.

4. If Jinnah refuses to come in, Menon thinks that it would be best to fill the Muslim League seats. He thinks that the presence of "Quislings" in the Executive Council would be more effective than the existence of reserved seats in bringing pressure to bear on the League.

5. As regards the War Member's portfolio, Menon's view is that of the names already suggested, the best choice would be Ismail who is still a High Court Judge in Allahabad and is probably not concerned with politics at all. Failing Ismail, Baldev Singh would be the best selection. I agree with this, but feel uncertain about Ismail accepting office.

6. DPSV will ring up Nehru about tea-time and ask how soon he will be ready for a further discussion.

G. E. B. ABELL

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Note by Field Marshal Viscount Wavell

R/3/1/117: ff 31-2

TOP SECRET

18 August 1946

Note on Interview with Pandit Jawaharlal Nehru, 18th August 1946

1. The greater part of the interview was taken up with discussion about the possibility of making a further approach to Jinnah. I put forward the arguments, that it was just possible that Jinnah might feel more inclined to accept in view of the latest happenings; that a very grave responsibility would lie on us if we had not made every possible effort to secure his cooperation; and that Nehru himself had said that he thought Jinnah was looking for a way out. Nehru said that the events of the past 48 hours had made it even more difficult to approach Jinnah, that he saw no chance of his agreeing, that Congress would certainly not give up the nomination of a non-League Muslim, and that it would mean further delay. We discussed the matter for some time; and it was finally agreed that Nehru would consult the other members of the Committee in Delhi and would write me a letter tomorrow. I pressed him as strongly as possible but do not think I made much impression. I especially stressed the danger of the Army breaking up.

2. Nehru said that they had discussed further the Muslim names; and I gathered that the list had been somewhat narrowed down. He told me that they had almost persuaded Azad to come in. The other four names he mentioned

were Asaf Ali, Maula Bux of Sind, Ali Zaheer, and Zaheeruddin, the President of the Momin Conference. This sounds to me a really dreadful list, and I said I thought it would be very provocative to the Muslim League:

3. He said that the full name of the Parsee he had mentioned was Cooverji Hormusji Bhabha. I asked him why he had included a Parsee, as they were a comparatively small community. He said that he thought there generally had been a Parsee in the Executive Council, and that they were a progressive community.

4. I asked him whether he had a name instead of himself or Rajendra Prasad, if one of them was unable to become a Member by being President. He said that he was not yet prepared to submit a name.

5. He then said that he saw that J. P. Srivastava was going to a Food Delegation, and made a violent attack on him. I said I knew that Srivastava had made enemies, but that he had done very good work for India and had considerable qualities, and that I was not prepared to listen to vague allegations.

6. I then told him of the Foreign Secretary's telegram about Mudaliar's attendance at the Economic Council of U.N.O.,¹ and said that I proposed to pass the Foreign Secretary's telegram on to Mudaliar. He raised no objection, though he made some disparaging remarks about Mudaliar.

W.

¹ In tel. 119 of 16 August Lord Pethick-Lawrence conveyed a message from Mr Bevin to the effect that the Foreign Secretary was greatly disturbed to hear that Sir R. Mudaliar was unable to attend the meeting of the U.N. Economic and Social Council beginning on 11 September and hoped it might still be possible to reverse the decision. Mr Bevin recognised the decision might have been taken for political reasons but stressed that Sir R. Mudaliar's presence in New York was a matter of the greatest importance to the work of the Council.

In tel. 1786-S of 26 August Lord Wavell sent Lord Pethick-Lawrence a message which Sir R. Mudaliar wished to be forwarded to Mr Bevin. In this Sir R. Mudaliar said he had reconsidered the position but regretted the Indian internal situation and the problems of Mysore made it impossible for him to leave India. L/E/9/1433.

169

Sir F. Burrows (Bengal) to Field Marshal Viscount Wavell

Telegram, L/PE/J/8/577: f 47

IMMEDIATE

CALCUTTA, 18 August 1946, 8.45 pm

CONFIDENTIAL

Received in India Office: 19 August, 12.50 am

197. Communal disturbances. Situation report up to 7 pm Sunday.¹

2. *Calcutta.* Except in area covered by military operations yesterday, no substantial improvement can yet be claimed with any confidence. In areas we

have not yet been able to deal with thoroughly, such as Bhawanipur (South Calcutta), mobs and gangs are still adopting guerilla tactics with some success to evade our mobile patrols, and we are unable, as yet, to find the men to supplement mobile patrols with fixed posts at important road crossings. In view of threatening situation developing in area immediately North-West of that covered by military yesterday, a military operation is now in progress there. Success of yesterday's operation is borne out by comparatively quiet condition of that area today.

3. With the arrival tomorrow afternoon of additional troops, we aim to clear up situation as regards mobs early in the week, though, in present circumstances of lawlessness and communal feeling, isolated stabbings may continue thereafter.

4. Howrah reports much improved situation this afternoon but sporadic stabbings continue. Communal rioting is in progress in mill area at Baranagore just North of Willingdon Bridge. Naihati, further North, reported quiet. Chittagong quiet today. No disturbances reported elsewhere.

Repeated to Secretary of State for India

¹ 18 August.

I70

Field Marshal Viscount Wavell to Mr Abell

R/3/1/143. f 6

18 August 1946

P.S.V.

Bhopal's actions are always rather a mystery; but I should say that Junnah had put him up to write this¹ to me.

Pl[ease] speak.

—

¹ No. 163.

171

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/117: ff 34-5

MOST IMMEDIATE
SECRET

NEW DELHI, 19 August 1946, 11.30 am
Received: 19 August, 10.10 am

No. 1720-S. I saw Nehru again yesterday evening¹ and told him that I felt I ought to see Jinnah and make last effort to induce him to join Government. Nehru thought it would be useless but said he would write to me today after consulting his Sub-Committee.

Meanwhile Jinnah's statement in Press this morning² seems to show that approach to him would in fact be useless.

2. Names of Congress representatives Nehru has provisionally given me for Interim Government are as follows: Vallabhbhai Patel, Rajendra Prasad, Sarat Chandra Bose, Rajagopalachariar, Jagjivan Ram (Scheduled Caste) and Nehru himself. I can accept these though I would much sooner not have Bose. But Rajendra Prasad and Nehru are probably alternatives since if Nehru comes into Government himself (which I think he intends) he will resign as President of Congress and Prasad will probably be elected. Nehru is not ready with alternative name.

3. For Minority representatives he proposes Baldev Singh, Matthai, and a Parsec Bhabha of whom I know nothing. These three will presumably be acceptable.

4. Difficulty arises over his proposal to fill five Muslim seats with non-League Muslims. At first meeting he gave me names of about ten Muslims, all men of little standing and practically unknown to me, whom he said he was considering. Last night he gave me a provisional five of whom one was Azad. Other four were Asaf Ali, Maula Bux of Sind, Ali Zaheer (a Shia) and Zaheeruddin (President of the Momin Conference). These four are men of no standing or capacity and their inclusion (if they accepted, which is doubtful) would undoubtedly provoke Muslim League to direct action.

5. I propose to inform Nehru that I will not recommend to HMG more than one non-League Muslim. I would accept Anglo-Indian for one place but that remainder should be left vacant rather than filled by 'stooge' Muslims.

6. I consulted Gwyer informally and he agrees with me that inclusion of five non-League Muslims would provoke most serious Muslim reaction.

7. There may thus be a crisis over the formation of the Interim Government in immediate future.

¹ No. 168.

² See Enclosure to No. 187.

172

*Mr Menon to Mr Abell**R/3/1/117: f 48*

TOP SECRET

NEW DELHI, 19 August 1946

My dear Abell,

I have just seen H.E.'s telegram to the Secretary of State No. 1720-S of today's date¹ about the inclusion of non-League Muslims in the new Government. I venture respectfully to say that I regard the policy outlined in it with considerable misgiving; and I state below my views for H.E.'s consideration.

2. The choice before us now is between "standing still" with the existing Caretaker Government and going ahead with the Congress, and it is for us to choose the lesser of the two evils. I have myself no hesitation in preferring the second course as otherwise we shall have, in addition to the Muslim League, the Congress, the Sikhs and the others also against us.

3. We are committed to go ahead with the reconstitution of the Central Government with those parties who accept the Cabinet Delegation's long-term plan. It was on that basis that we asked the Congress to make proposals for the immediate formation of an Interim Government. It is true that the proposals are for H.E.'s consideration. But it has to be remembered that in our offer to the Congress we did not include any condition as regards either the strength or composition of the Government. In fact, before we actually made the offer, we had a definite indication that the Congress would insist upon filling all the portfolios and would not agree to keep any Membership vacant, *vide* the last sentence in para. 1 of H.E.'s telegram to the Secretary of State, No 1619-S of the 5th August.² The Congress could now say that they have made all efforts to induce the Muslim League to come in, and are willing to reconstitute the Government whenever the Muslim League changes its mind, but that in the meanwhile they should be allowed to go on with a Government of full strength. This would appear to be a not unreasonable position.

4. The approach which H.E. made to the political parties after the proposals of June 16th lapsed was on the basis of the parties nominating their quotas. What has happened now is that the Muslim League has refused to participate in the Government with the result that the whole Council fails to be nominated by the Congress. Without doing violence to the principle on which the offer was made to both the parties it is impossible now to restrict the freedom of choice of the Congress. That does not, of course, mean that H.E. cannot criticise

¹ No. 171.² No. 121.

individual names or make alternative suggestions, but what we have to bear in mind is that the main responsibility is now that of the nominating party.

5. It was most unfortunate that we were unable to form a Coalition Government including both the Congress and the Muslim League. But I venture to think that it would be an even greater misfortune if we were to allow the present negotiations to fail by taking up a stand which would estrange the Congress without conciliating the Muslim League or providing us with any other compensatory advantage.

6. I have no doubt that if we break with the Congress by reason of our insisting that the Muslim League quota or a substantial part of it should be left vacant, public and press reactions both in India and England will be unfavourable. Our only line of defence would be that to agree to the Congress proposals might provoke serious Muslim resentment. To adopt this line would mean that till Jinnah chooses to come in on his own terms no Interim Government can be formed. I feel that this is not a defensible position. My conclusion is that we have now reached a stage when we have to place the responsibility for the formation of the Interim Government fairly and squarely on the Congress.

Yours sincerely,

V. P. MENON

I73

Pandit Nehru to Field Marshal Viscount Wavell

R/3/1/117: f 36

18 HARDINGE AVENUE, NEW DELHI,

19 August 1946

Dear Lord Wavell,

As suggested by you,¹ I have consulted my colleagues, and their reaction to your proposal is identical with mine.

When you wrote to me² that you had decided, with the concurrence of the British Government, to invite me, as President of the Congress, to make proposals for the formation of an Interim Government, we accepted this invitation on the understanding that the responsibility would be ours. We have since proceeded on that basis. I suggested to you that the best course would be to make this clear by a public announcement and you were good enough to agree to this, and an announcement was made. Immediately after this I approached Mr. M. A. Jinnah and sought the cooperation of the Muslim League. Mr. Jinnah was not willing to cooperate with us, as he made clear in his letters to me (which have been published)³ and subsequently in the course of our interview.

We had then to proceed without him and the League. We have tried to get as good and representative a team as possible, and have already approached some persons on the new basis.

Your new proposal would change the whole approach to the problem and put an end to the responsibility which, at your suggestion, we had undertaken. We are now asked to revert to the previous stage which, we had thought, had finally ended after months of fruitless effort. It puts us in an embarrassing and unenviable position, and the difficulties inherent in the situation are likely to be considerably increased. In view of recent happenings, especially in Calcutta, such a step, far from leading to harmony, will be misconstrued and lead to a contrary result.

We feel, therefore, that we are quite unable to agree to your new proposal. We have come to Delhi for a specific purpose and on an urgent errand. If that purpose does not hold, then there appears to be no necessity for us to stay on here.

Yours sincerely,

JAWAHARLAL NEHRU

¹ See No 168.

² See No. 118 and its note 5.

³ See No 153.

174

Field Marshal Viscount Wavell to Pandit Nehru

R/3/1/117: f 38

19 August 1946

Dear Pandit Nehru,

Thank you for your letter of to-day.¹ I have read the statement by Mr. Jinnah in to-day's papers² and in present circumstances I agree that there would be no use in my sending for him.

Yours sincerely,

WAVELL

¹ No 173

² See Enclosure to No. 187.

175

*Field Marshal Viscount Wavell to the Nawab of Bhopal**R/3/1/112: f 56*

No. 592/45

19 August 1946

My dear Nawab Sahib,

I have received Your Highness' letter¹ of the 29th July 1946 and have considered it carefully in consultation with the Secretary of State.

2. Your Highness first enquires what would be the attitude of Great Britain if the terms offered to the States by the Constituent Assembly were so unjust as to be wholly unacceptable. I regret that it is not possible for me to give a reply to this hypothetical question. I share Your Highness' earnest hope that the discussions now in progress will result in a satisfactory solution of India's constitutional problems, and we must not contemplate the possibility of failure. Indeed I am sure you and your brother Rulers will continue your present efforts until success has been achieved.

3. Your Highness next reiterates the request that any proposals in the Union Constituent Assembly or the future Union Legislature which raise a major issue affecting the States should require for their decision a majority of the representatives of States present and voting. As you know the Cabinet Mission and I were at pains to avoid in any way committing the States and to leave to them the negotiation of the terms on which they would take part in the deliberations of the Constituent Assembly. This was made clear by the Secretary of State in his recent speech in the House of Lords and is in accordance, I believe, with the wishes of Your Highness and the States generally. Your Highness will, I am sure, agree that for His Majesty's Government now to prescribe in advance conditions subject to which the States would join the Constituent Assembly or be represented in the Union Legislature would be inconsistent with this policy and would weaken the States negotiating Committee in their discussions with representatives of British India. I hope that satisfactory terms may be arranged and I trust that Your Highness will continue your efforts to achieve this objective.

Yours sincerely,

WAVELL

¹ No. 85.

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Note by Field Marshal Viscount Wavell

L/P&J/10/73: ff 46-8

TOP SECRET

19 August 1946

NOTE ON INTERVIEW WITH MAULANA ABUL KALAM AZAD 19TH
AUGUST 1946

1. He began by speaking of the recent riots in Calcutta. He alleged that Suhrawardy had organised the hooligans of Calcutta's underworld into his supporters; and that the declaration of a public holiday made them believe that they had the licence of the Government to act as they liked. He said that though on Friday there had been more Hindus among the casualties, since then the Muslim casualties had been greater.

He said that he was very apprehensive of what might happen in the U.P. and Bihar where the Muslims were in a minority. He criticised the Bengal Ministry severely, and said that although they apprehended trouble they had not taken sufficient precautions; also they had been much too late in enforcing section 144 and a total curfew. He said that the troops had not been called out soon enough.

On this last point, I said that calling out troops to suppress civil riots was the last resort and a step never taken until it was obvious that the civil authorities could not control the situation. I told him of the number of troops now there, and remarked that if the Congress demand that all British troops should be withdrawn had been carried out, the situation would have been much worse. On the general situation I said that it would be some time before the facts were fully known, and that it would be then time to make good criticisms or accusations. What had happened was most deplorable, and was due to the general encouragement of violence by political speeches during the last year or so.

Azad stated his case quite moderately, and did not question what I said.

2. He then asked whether I had had Nehru's letter¹ about approaching Jinnah on the matter of the Interim Government. I told him what my reply² had been.

I then went on to say that I did not see how I could recommend to HMG more than one Muslim name in a Government formed by Congress, and that the question of quality also came in; would it not be better to leave some of the seats vacant rather than fill them with Muslims who were not up to standard? Azad said that he had at one time considered leaving the places vacant, but he considered that it would create a feeling that the Government was not complete

¹ No. 173.

² No. 174.

or stable. He said that Congress' final proposal of names would be sent to me tomorrow forenoon. I said that I most sincerely trusted that the list would be kept entirely secret, as it would be most embarrassing if it was announced before the names were accepted by myself and HMG and had received the approval of the King. He said that he appreciated the point, and that every effort would be made to keep them secret.

He then said that though it would be inadvisable for me to approach Jinnah direct, would it be possible by indirect contact to give Jinnah some reassurance and persuade him to come in. I said that I would consider the matter, but that in the present mood of the League, it might be difficult to give them sufficient assurances. I said that I noticed in Jinnah's account of his conversation with Nehru, that he alleged that Nehru had said that the Viceroy's veto would not be exercised and that the Government would be responsible to the Legislature. I reminded Azad of our previous discussions on these points, and said that I had no intention of giving up my powers, though I hoped that I should not have to exercise them; and that the Government could not be constitutionally responsible to the Legislature, though there was of course nothing to prevent Members resigning if they failed to pass a measure in it. I said that if Nehru had made the remarks attributed to him by Jinnah they would naturally have increased Jinnah's reluctance to come into the Government. Azad said that he did not know exactly what Nehru had said, but that Congress would be prepared to reassure Jinnah on both these points, that they recognised that the Viceroy's veto must exist to deal with any major communal issue, and that he agreed with my point about responsibility to the Legislature.

I then said that the real stumbling-block was, as he realised, the question of a Nationalist Muslim, and that I did not quite see how this obstacle was to be got over. He agreed, and said that Congress could not give up the nomination of a Nationalist Muslim.

3. He then passed on to ask about the procedure for bye-elections to the Constituent Assembly. I said that I was considering the special case of the Sikhs: had he any other bye-elections in mind? I said that the intention was that the Constituent Assembly itself should lay down the procedure for bye-elections, and I did not see how I could do so. He then explained what he wanted. He said that the position in Group C would be a critical one, and that a satisfactory arrangement between these two Provinces could only be reached if the best possible men were there, and men of reasonable views. Congress wished to substitute Dr. B. C. Roy and Mr. N. R. Sarker for two other members who had been elected and who would resign in their favour. I said that I would have the position examined, but that I did not think it would be possible to hold such bye-elections before the Constituent Assembly met.

4. The above is the outline of a conversation which lasted for about an hour.

Throughout it Azad was very moderate and friendly. I have a great respect for him, and if all these politicians were of the same quality matters would be comparatively easy.

I77

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

L/PEJ/10/45: ff 78-81

INDIA OFFICE, 19 August 1946

My dear Wavell,

The first two paragraphs of your letter of August 6th¹ which only reached me last Thursday evening seem to demand from me something more than a cursory paragraph in reply.

2. Naturally the increasingly grave situation in India, emphasised by the tragic events in Calcutta, is never out of my thoughts, and I appreciate your desire to have from H.M.G. a recommendation of a firm and specific line of action which you should take as an ultimate course. Our inability to give this to you does not spring from any complacency or optimism on our part, nor from any acceptance of a policy of "drift" but from the fact that the situation as we see it changes from day to day and any "ultimate" policy decided on this week would almost certainly by force of events prove to be all wrong next week or the week after.

3. In such a category is surely the proposal² that we sent home when we were in India that the British might retire from the Hindu provinces, leaving them to work out their own destiny and entrench ourselves in the Muslim provinces. This postulated a hostile Congress and a fairly friendly Muslim League. That is certainly not the present position. Jinnah is not only angry with us but is threatening open rebellion. Even if we agree that he was provoked and was perhaps not handled in the best way (which I admit), we cannot ignore his present attitude. He does not even suggest to us a policy which would provide a settlement except the barren slogan of Pakistan. Congress is, at any rate for the moment, friendly.

4. It is possible of course that this outward friendliness may be a mere cloak for sinister intentions, or without going as far as this that the demand for increasing power may grow as more and more power is conceded until the demand becomes quite incompatible with our constitutional responsibility. It

¹ No. 125.

² See Vol. VII, No. 442.

may equally be that power may have a sobering effect and that the need for a constructive policy may compel Congress to take up a conciliatory attitude. I do not see how at this stage we can decide between these two alternatives or lay plans for action until we know just how far Congress are amenable to

5. There are many points which may lead to a difference between ourselves and Congress. There is first the Constituent Assembly. We have already agreed that the preparations for summoning this body to meet should go forward and I do not think we should reverse this decision. The indications at present are that the Moslem League members will absent themselves. It is possible, though I am afraid most unlikely, that some means may be found of inducing them to change their mind. Whether the Muslims come or not Congress have indicated that they intend to try (by an appeal to the Federal Court or by some other means but not I gather by a refusal to recognise that major communal issues require a majority of both communities) to get out of meeting in sections. If they succeed in this manoeuvre or if the sections meet in the absence of the Muslims and come to a negative decision about grouping, we shall be faced with the need for a decision as to our own attitude. It would I imagine be very difficult for us to prohibit any further meetings of the Constituent Assembly and forcibly to eject the members from the premises, but we may have to issue a statement as to our views regarding its further proceedings. Independently of the action by Congress the Muslim League may make the meeting of the Assembly the occasion for launching open rebellion. We shall have to take steps to deal with this.

6. Another issue on which we may get to loggerheads with Congress is of the kind indicated by Wylie and Twynam and relates to the whole question of the duties of Provincial Governors.³ This seems to me to be a matter on which in this difficult interim period we shall have to be constantly seeking a *modus vivendi*. I cannot believe that it would be right either to give in unreservedly on the one hand or to court a clash by standing absolutely pat. The risk to our loyal personnel would seem to me greater by adopting either of these extreme courses than by continuing to seek accommodation.

7. Similar remarks seem to me to apply to the exercise of your own powers. I do not despair of obtaining agreement with Congress on the matters which arise from day to day. If it be true that our hand is weaker owing to the hostility to us of the Muslim League, it is equally true that Congress will not wish to have the active opposition both of ourselves and the Muslim League.

8. With regard to Jai Prakash Narain and other terrorists, I see that Gandhi has been rebuking them and it seems to me to be essential that we should work in conjunction with your new Government when it is formed in bringing them

to book. If we arrest them against the views of the Congress High Command I foresee that for everyone we arrest we shall have five new ones advocating violence and we shall go on until we are back at imprisoning all the leading men in Congress at a time when the Muslim League are preaching, and perhaps practising, violence on a large scale.

9. I am sure all these considerations must be fully present in your own mind as well as the need for discovery, if it is in any way possible, of some door of escape from the present deadlock with Jinnah. As I said before,⁴ you may some time consider it to be appropriate for you to send for him and have a full discussion. Surely the grave loss of life in Calcutta must have had some sobering effect on him. But this must be a matter for your own judgment as to when, if at all, the time is appropriate.

10. It is also possible that a time may come when an invitation might be sent to Jinnah and to Congress to send people over here to talk with H.M.G., and if so, as I said before,⁵ H.M.G. would naturally invite you to join in any such discussions.

11. I cannot close without expressing to you my profound sympathy in the terrible burden which you are so gallantly bearing and which, in my own different capacity, I have also to bear.

Sincerely yours,

PETHICK-LAWRENCE

³ i.e. the question of Governors acting in their discretion or in the exercise of their individual judgment. For Sir F. Wylie's views as to policy which should be adopted on this subject in the interim period, see Vol. VII, No. 330.

⁴ No. 111. ⁵ No. 79, para. 7.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

L/PO/10/23

PRIVATE AND SECRET

INDIA OFFICE, 19 August 1946

Received: 24 August

Many thanks for your letter of 6th August.¹ I am replying separately² to the first two paragraphs in it, and there is not very much else for me to answer.

2. We have dealt with the question of "War Service" recruitment by telegram³ and the announcement of its discontinuance has appeared this morning.

No. 125.

² No. 177.

³ See Nos. 139 and 149, note 5.

I await with interest more details of the Central Service which the Government of India are proposing to establish.

3. As regards Compensation for the Secretary of State's Services, I am afraid that we are not progressing quite so quickly. Some doubt has been expressed by my colleagues about the scale of compensation suggested and there have been urgent consultations between the India Office and the Treasury on the subject. The Treasury take the line that they were in no way responsible for the Egyptian scheme,⁴ that they think the Indian scheme extravagant and that if there were any question of it involving expenditure from Imperial Revenues they would not be prepared to agree to it in its present form. There, is, however, no question at present of Imperial Revenues having to bear the cost, and I am therefore proceeding, as the next step, to take the formal views of my Advisers on the scheme as it at present stands. I will communicate officially with you again as soon as possible.

4. I note that you are trying to get as accurate an estimate as possible of the number of Europeans in India for the purpose of internal security schemes. As I told you, the Prime Minister is personally interested in this and I hope that we may be able to provide him (and the Chiefs of Staff and Ministry of Transport) with a figure which could be used with reasonable confidence for planning purposes.

[Para. 5, on proposals to improve the judicial administration in India; para. 6, on the status of the wife of the Nawab of Palanpur; and para. 7, on a lady visitor to India, omitted.]

8. Auchinleck has had a very busy time I am afraid, while he has been over here, but I managed to see him for a short time one day when he was up in London from Camberley. He seemed in good heart and I am sure that his consultations here with the Chiefs of Staff will be extraordinarily useful at the present moment.

⁴ i.e. the scheme drawn up for British Officials of the Egyptian Government on the introduction of a new constitution in 1923.

I79

Sir F. Burrows (Bengal) to Field Marshal Viscount Wavel.

Telegram, L/PEJ/8/577: f 44

IMMEDIATE
CONFIDENTIAL

CALCUTTA, 19 August 1946, 8 pm

Received in India Office: 19 August, 11.30 pm

202. Communal disturbance. Situation up to 7 pm Monday.

2. Situation generally quiet all over Calcutta and there have been no major disturbances today. As a step towards restoring confidence, some trams were run this afternoon. Population still panicky in south and south east Calcutta, but our dispositions are adequate to deal with anything other than stray stabblings.

3. With improvement in the situation, we are now able to concentrate more on relief operations of all kinds.

4. Except for stabblings in Howrah, the mill area is reported quiet.

5. All authorities concerned have been too hard pressed to permit of their furnishing reports as to the immediate causes and course of the disturbance, but I shall let you have my appreciation as soon as possible. Meantime, though no approximate figure of those killed can be supplied, we know that over 3,000 injured have been treated in hospitals. The number of those killed must certainly run into 4 figures.

Repeated to Secretary of State for India.

I80

Lord Pethick-Lawrence to Field Marshal Viscount Wavell¹

Telegram, L/PEJ/10/73: f 57

MOST IMMEDIATE
SECRET

INDIA OFFICE, 19 August 1946, 10.30 pm

15228. Your telegram 1720-S,² para. one. Though Jinnah's statement³ as it appears in *Times* of today is not encouraging I should welcome your proposal to have a discussion with Jinnah. But leave it to your discretion.

As to your paras. five, six and seven, I agree with you that it would be better not to fill seats with "stooge" Muslims and thereby further exacerbate Muslim

¹ Papers on L/PO/11/4 show that Mr Attlee was consulted on the form of this reply.

² No. 171. ³ See Enclosure to No. 187.

League feeling. You will no doubt consult us again before finally breaking with Nehru on this issue.

It is not clear to me whether the one non-League Moslem you suggest in your para. 5 is to be in place of the five Muslim seats or to come out of the Congress quota of six, referred to in your para. one of telegram 1713-S.⁴

⁴ No. 164.

181

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/PO/10/18: f 279

PRIVATE

INDIA OFFICE, 19 August 1946

121. Your private telegram 13th August 1673-S.¹ I think with you that it would be valuable to make some public statement to show that the appointment of United Kingdom High Commissioner is now really imminent. There are, however, a good many matters of detail to be cleared up before this new authority can function effectively (compare my telegram 15110 to External Affairs Department and Monteath's telegram to P.S.V. 15111 of to-day)² and in the circumstances it seems better to put out an inspired paragraph for the Press rather than any actual official announcement. Accordingly paragraph 5 below contains draft of a Press Note which if you agree is suggested for issue by the Press Officer at No. 10 Downing Street.

2. One of our difficulties is that of communication at present with Shone though I hope he may come over here quite shortly for a few days for consultations. At the moment, however, his absence is a considerable handicap.

3. It has been accepted here as advantageous in many ways that it should fall to the India Office to find the first Deputy High Commissioner since their personnel have more general background of the Indian problems and Symon has been able to follow up in correspondence the arrangements about accommodation and subordinate staff etc. initiated by Croft when in India. I hope that Symon's service as Secretary to the Indian Trade Commission in America will make him *persona grata* but the urgency of completing arrangements makes it inevitable in our view to send him out with the authority of Deputy High Commissioner as soon as possible. Any criticism of his selection due to his connection with the India Office may be offset by intimation that the High Commissioner himself will be from the Diplomatic Service.

4. If in light of the foregoing you agree that the Press Note meets immediate requirements I will inform you of proposed date of publication. It would

perhaps be best that it should be "issued" here only and that steps should be taken to secure full publicity in India by Reuter.

5. Draft Press Note. *Begins.* The preliminary arrangements for establishing the Office of the United Kingdom High Commissioner in India are now well in hand and a proportion of the staff will arrive in India in September under the Deputy High Commissioner designate, Mr. A. C. B. Symon, O.B.E., to complete arrangements in preparation for the opening of the Office for the execution of its functions which will take place when the High Commissioner assumes charge. It is anticipated that the High Commissioner, who will be appointed from the ranks of the British Diplomatic Service, will arrive and assume charge about the beginning of November next; his name will be announced shortly.

(Note for information. It will be recalled that it was announced by His Majesty's Government in Parliament on the 14th June 1945 that it had been decided to appoint a High Commissioner to represent United Kingdom interests in India). *Ends.*³

¹ See No. 141, note 2.

² These telegrams related to office accommodation for the High Commissioner. L/E/8/4871.

³ Lord Wavell replied in tel 1733-S of 20 August. He agreed with the Press Note and method of release and stated that Mr Symon would be acceptable as Deputy High Commissioner L/PO/10/26. The text of the Press Note appeared in the Press on 27 August.

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Pandit Nehru to Field Marshal Viscount Wavell

R/3/1/117: f 52

PERSONAL AND CONFIDENTIAL 18 HARDINGE AVENUE, NEW DELHI,
20 August 1946

Dear Lord Wavell,

In consultation with my colleagues I am suggesting the names given below for membership of the Interim Government. We should very much like to have fifteen members of this Government, both because we consider this number suitable and because this will enable us to include an Anglo-Indian representative. If the list is to contain fourteen names only then I am afraid there will be no room in it at present for an Anglo-Indian. We have not decided yet in regard to one Muslim name for the list. I hope to supply this later. I might add that we have secured the consent of all those mentioned in the list except one, Mr. Asaf Ali, whom we have not been able to contact. He has been in Kashmir and is on his way back. Apparently he has been held up somewhere owing to a stoppage of the air service. We hope to be in touch with him soon.

I have decided to join the Provisional Government myself. In addition to my name, therefore, there will be the following:

1. Sardar Vallabhbhai Patel
2. Dr. Rajendra Prasad
3. Mr. M. Asaf Ali
4. Mr. C. Rajagopalachari
5. Mr. Fazlul Huq
6. Mr. Sarat Chandra Bose
7. Dr. John Matthai
8. Sardar Baldev Singh
9. Sir Shafaat Ahmad Khan
10. Mr. Jagjivan Ram (President, All India Depressed Class League)
11. Syed Ali Zaheer (President, All India Shia Conference)
12. Mr. Cooverji Hormusji Bhabha
13. A Muslim name to be supplied later
14. Mr. Frank Anthony (President, Anglo-Indian Association)¹

Yours sincerely,

JAWAHARLAL NEHRU

¹ Lord Wavell sent Pandit Nehru's list of names to Lord Pethick-Lawrence in tel. 1734-S of 20 August R/3/1/117: f 53.

183

Sir B. N. Rau to Mr Abell

R/3/1/124: f 23

CONFIDENTIAL

OFFICE OF THE CONSTITUTIONAL ADVISER,
NEW DELHI, 20 August 1946

My dear Abell,

Please refer to your Confidential D.O. No. 592/79, dated 17/18th August, 1946,¹ regarding a suggestion that Provincial Constitutions should be dealt with by Sub-Committees of the Sections comprising only representatives of the individual Provinces. This had occurred to me independently and I was thinking of putting it forward, along with other suggestions, in a pamphlet on procedure which I am preparing for the use of members of the Constituent Assembly. It may not be easy to adopt the suggestion in every case: e.g., in Section B, the North-West Frontier Province has only three representatives, of whom one belongs to Bengal, so that the Sub-Committee in this case would consist of only two men with local knowledge. An alternative, suggested by the procedure adopted in Australia, South Africa, and, to some extent, Canada,

is that the draft of each Provincial Constitution as framed by the relevant Section, should be sent to the Legislature of the Province concerned for criticism and that the Section should at a succeeding session revise the draft in the light of the criticisms received.

2. Even in regard to the Union Constitution it may be desirable to give every Province an opportunity for criticism before the Constitution is finally settled, particularly if any parties absent themselves from the Constituent Assembly.

3. If you see no objection, I shall include the suggestion which you have mentioned, along with any others bearing on the subject, in the contemplated pamphlet.²

Yours sincerely,
B. N. RAU.

¹ This conveyed the suggestion in No. 147, para 10 R/3/1/124: f 21.

² Mr Abell replied to Sir B. Rau on 21 August. He said Lord Wavell agreed the suggestion should be included in the contemplated pamphlet. *Ibid.* f 24.

184

Mr Attlee to Field Marshal Viscount Wavell

R/30/1/8a: f 51

20 August 1946

My dear Viceroy,

Thank you for your letter.¹ I am glad to have your views. In my suggestions I had no idea of indicating that you only saw officials or the officials were hidebound, but rather that inevitably from their position they are not very well acquainted with the technique of politics and democratic government. I am sorry that you should have had added to your anxieties the communal riots in Calcutta. I suppose there is just a chance that these events may serve to bring some sense of reality into the minds of the contending politicians. I am still hopeful that your efforts will be crowned with success.

All good wishes.

Yours sincerely,
C. R. A.

¹ No. 102.

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*Field Marshal Viscount Wavell to Lord Pethick-Lawrence**Telegram, R/3/1/117: f 64*

MOST IMMEDIATE
SECRET

NEW DELHI, 21 August 1946, 3.30 pm
Received: 21 August, 1.35 pm

No. 1736-S. My telegram 1734-S of yesterday.¹ Interim Government. You know about all the Members suggested except Zaheer and Bhabha. I dislike having Sarat Chandra Bose in the Government but presume I must accept him.

2. Zaheer is a Barrister-at-Law, son of Sir Wazir Hassan, late Chief Judge of Oudh High Court. He is President of the All India Shia Conference, a friend of Nehru's, and a Communist intellectual though a member of the Congress. Asaf Ali and Shafat Ahmed Khan are very poor specimens indeed. They have neither capacity nor character.

3. Bhabha is a Parsi business man of about 35, Director of Central Bank of India, of Oriental Life Insurance Company and of certain mills. He is a J.P. and not political. He seems all right.

4. You know Fazlul Huq's record. He is corrupt even for a Bengali. I do not feel I can stomach his inclusion in the Ministry and no name could possibly be more provocative to the League. I shall tell Nehru that I refuse to accept him.

5. I see no advantage in having a Council of 15 in order to include Anthony, President of the Anglo-Indian Association, who is an unpleasant and unreliable man. I shall tell Nehru that the Council must be 14.

6. Consent of Asaf Ali has not yet been obtained. He is in Kashmir, but the Congress are contacting him by telephone. I do not know who the fifth Muslim name is likely to be.

7. I may see Nehru this evening or early tomorrow.

¹ See No. 182, note 1.

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*Field Marshal Viscount Wavell to the Nawab of Bhopal**R/3/1/143: f 12*

TOP SECRET AND PERSONAL

NEW DELHI, 21 August 1946

No. 681/17

My dear Nawab Sahib,

I have received your letter of August 17th.¹ No-one regrets more than I do the action taken by the Muslim League to resile from their acceptance of the proposals for the Constituent Assembly, and threat to resort to "Direct Action", which I think were unwise and unnecessary. The results of this are already evident in the dreadful happenings in Calcutta. I am also very concerned at the failure of Mr. Jinnah and Pandit Nehru to come to any terms over participation in the Interim Government, although the proportion of seats offered to the Muslim League was the same as Mr. Jinnah had declared that the League was ready to accept last June. In the circumstances I have no option except to discuss with the Congress the formation of an Interim Government, with the hope that the League will reconsider their decision and join it later.

As to Your Highness's personal course of action, I must advise you most strongly that I think your duty to the Muslims and to India as a whole lies in remaining in your present position and assisting to keep India steady at this critical time, rather than giving up your position and becoming a private citizen. I do not think that this can be of advantage to the interests of India, and I shall very much regret it if you take such action.²

Yours sincerely,

WAVELL

¹ No. 163.² On 27 August Lord Wavell sent Lord Pethick-Lawrence, for his private eye only, a copy of the Nawab of Bhopal's letter of 17 August (163) and of his reply above.

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*Field Marshal Viscount Wavell to Lord Pethick-Lawrence**L/PO/10/23*

PRIVATE AND SECRET

THE VICEROY'S HOUSE, NEW DELHI,

21 August 1946

Thank you for your letter of the 13th August.¹ In your first paragraph you express the hope that there will be no crisis during the week from the 20th

¹ No. 147.

when you expect to be in Cornwall. It is going to be difficult for me not to bother you with telegrams as the negotiations for an Interim Government are not complete, but I hope you will be able to take your holiday none-the-less.

2. The last week-end has seen dreadful riots in Calcutta. The present estimate of casualties is 3,000 dead and 17,000 injured. The Bengal Congress are convinced that all the trouble was deliberately engineered by the Muslim League Ministry, but no satisfactory evidence to that effect has reached me yet. It is said that the decision to have a public holiday on the 16th August was the cause of the trouble, but I think this is very far-fetched. There was a public holiday in Sind and there was no trouble there. At any rate, whatever were the immediate causes of the outbreak, it is clear that when it started the Hindus and Sikhs were every bit as fierce as the Muslims. The present estimate is that appreciably more Muslims than Hindus were killed. I have been told that the savagery and enthusiasm for murder was terrible. Parties of one community would lie in wait, and as soon as they caught one of the other community, they would cut him to pieces with shouts of joy. All ordinary human feelings seem to have completely deserted a considerable proportion of the population of the city. The number of troops employed is now 5 battalions British and 4 battalions Indians and Gurkhas. It is alleged that more British troops ought to have been called in earlier on. There is no truth in this as there were no other British troops available; but one shudders to think what would have been the result if no British troops had been there. You have been kept fully informed by telegram about this gruesome business, and before this letter arrives, you will probably have had an appreciation from Burrows² of the causes, and of the responsibility for it.

3. The Congress press and Sarat Chandra Bose, the local Congress leader, have strongly urged that the Governor should intervene and dismiss his Ministry. This claim has been supported by the *Hindustan Times*. It is remarkable how much the attitude of the Congress towards the Governor's special powers varies according to whether they are in power themselves or in opposition.

4. Meanwhile negotiations about the Interim Government continue. I am far from satisfied with the Muslim names suggested by Nehru³ and I doubt very much if he likes them himself. I also doubt whether some of the Muslim nominees will, in the last resort, be prepared to serve; it will need a fairly stout heart at present to disregard the strong feelings of the majority of Muslims.

5. There is no particular trouble about the Hindu names though Nehru has not yet decided who should come in instead of Rajendra Prasad if the latter is to be President of the Congress.

6. I pressed Nehru strongly⁴ about the desirability of my making a last attempt to persuade Jinnah to come in, but the Congress Parliamentary Com-

mittee were very unwilling⁵ and an extremely uncompromising¹ by Jinnah indicated that the chances of success were practically nil. I enclose a copy of this statement.

7. There is no doubt that Muslim feeling is now extremely embittered and I do not think we can expect any early change of mind on the part of Jinnah and the Working Committee. The trouble is that the rank and file of the League consist very largely of unstable elements in the towns and of students and many of them are now incapable of rational thought on political matters, if indeed they ever were. However clearly we can prove that Jinnah has made mistakes or has misjudged his opportunity, or has been unnecessarily suspicious, the fact remains that provided he is violent in his language and takes a purely communal line, he will get enthusiastic support. I think that actually Jinnah himself is being pushed further and faster than he wishes to go, since he temperamentally prefers constitutional methods and is no longer a young man.

8. In your letter of July 29th,⁶ you mentioned that the Prime Minister had criticised the discrepancy between two estimates of the European population in India. The first figure (44,000) was produced at 12 hours' notice by the Home Department of the Government of India, from such immediate enquiries as it was possible to make in Delhi. The later figure of 96,000 was compiled from unobtrusive local enquiries by Military Commands, and is likely to be near the mark. It includes some 6,000 Poles. We have no permanent census organisation and it is not practicable to have an accurate census taken without causing doubt and despondency. I think that the figure of 96,000 may be taken as approximately correct.

9. I hear reports that Runganadhan has put up a very indifferent performance at Paris and that he refuses to take his work seriously. He has, I am afraid, been a failure as High Commissioner. I have never had much opinion of him, and have for some time been considering his replacement; but there was never quite enough to dismiss him on. I expect the Congress will wish to make a change and are likely to put in a good man, though no doubt a definite partisan, in a post of this importance.

10. I have sent on the Foreign Secretary's message to Mudaliar⁷ and I appreciate the embarrassment that will be caused if Mudaliar is unable to attend the Economic and Social Council session; but I doubt if Mudaliar will change his mind. I mentioned the matter to Nehru and he made some disparaging criticisms of Mudaliar, but raised no definite objections to his going to the Economic Council; I do not think Congress could easily be persuaded to nominate him to the Assembly meeting, but I do not think this is required.

² No. 197.

³ See No. 182.

⁴ See No. 168.

⁵ See No. 173.

⁶ No. 88, para. 13.

⁷ See No. 168, note 1.

11. Just before the Calcutta disturbances Burrows had to accept the recommendation of Suhrawardy that all the remaining 30 terrorist convicts except one who was only convicted in 1944, should be released. Whether or not these men took part in the events of last week-end, the disturbances show clearly enough that Bengal is not a place to be handled with kid gloves and that to release the very worst of the terrorists is asking for trouble. I hope that these events will persuade you that the authorities in India do not put people under detention in Bengal without some reason; and that the sentimental release of terrorists is apt to be fatal to a good many innocent men, women and children.

12. I am sorry to learn from your letter that the prospects of securing employment for officers of the Secretary of State's Services are not good. These men have done good service for India, are your own special responsibility, and it is up to you to press the matter further. I agree that the proposition that the Service Associations might run their own employment agency in London is worth putting to the Associations after the compensation issue has been thrashed out, and I will certainly do this.

13. I have put to Rau⁸ the suggestion in the last paragraph of your letter about the Provincial constitutions being drawn up by Sub-Committees consisting of representatives of the individual Provinces concerned. This was an idea that had already occurred to him and it will be included among a number of suggestions which he will put up from his office for the consideration of the Constituent Assembly. The fact that it was you who made this proposal will of course not be revealed.

14. I am very glad that Shone has been chosen as U.K. High Commissioner. He will undoubtedly do well and I will do all I can to help him when he first arrives. I note that Symon from the India Office will come out in advance as Deputy High Commissioner to get things started.

Enclosure to No. 187

CUTTING FROM THE DAWN, DATED THE 19TH AUGUST 1946

CONGRESS WANTS TO CRUSH MUSLIMS WITH
BRITISH BAYONETS

WHY QAED-E-AZAM REFUSED LEAGUE CO-OPERATION.

Meeting with Nehru recalled

Bombay, Sunday

Pandit Jawaharlal Nehru⁹ would have been nearer the truth if instead of saying that there was lack of co-operation from the Muslim League, he had said that the Muslim League was not prepared to surrender; and it would have been still

more true if instead of saying that the Congress doors of co-operation were still open, he had said that the Congress door was open to the Muslim League, for abject surrender, says Mr. M. A. Jinnah, President of the All-India Muslim League in a statement issued here today.

Mr. Jinnah adds: "It has been made very clear once more and it has been admitted by Pandit Nehru in his recent Press Conference that the Congress has not accepted the long-term plan of May 16th, and there is no doubt that they rejected the short-term final proposal of June 16th of the Cabinet Delegation and the Viceroy, whereupon that part of the scheme was scrapped by the Viceroy."

"In his Press Conference, Pandit Nehru admitted that there was no difference between the decision of the Congress Working Committee taken at Wardha on the August 10th and the resolution of the A.I.C.C. of July 7th passed at Bombay ratifying the earlier decision of the Working Committee at Delhi on June 25th and 26th."

"So the matter stands as it was after the original decision of the Congress Working Committee at Delhi, and therefore, now admittedly the Congress has not accepted the long-term plan nor the short-term proposal, whereas the Muslim League did accept both¹⁰ and that was what the Mission did accept at the meeting of the Council of the All-India Muslim League Council on July 29th."

⁸ No 183, note 1.

⁹ In a Press Conference on 16 August Pandit Nehru gave an account of his interview with Mr Jinnah. He said that there was an 'unfortunate lack of co-operation from the Muslim League'. However, 'the door to co-operation would always be open but that did not mean that those who were straight and swift of limb should be tied with the halting and the lame.'

¹⁰ The text is evidently corrupt beyond this point. A fuller version of Mr Jinnah's Statement on L/P&J/10/73: ff 76-7 gives the passage as follows:

'... whereas the Muslim League did accept both, and that was withdrawn at the meeting of the All-India Muslim League Council on July 29. . . . Our position from the very beginning has been that the long-term settlement and the interim Government must go together, and they constitute one whole, indivisible scheme and one cannot be separated from the other, and that was what the Mission did, according to their Statements of May 16 and June 10 [?16].'

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Mr Porter to Sir D. Monteth

Telegram, R/3/1/149: f 5

IMMEDIATE

NEW DELHI, 22 August 1946, 11.50 am

PRIVATE

No. 1742-S. In view of imminent change of Council Home Department are thinning out records which it is no longer necessary or desirable to retain.

Among these are a number relating particularly to Congress or leading Congress personalities which we should have ordinarily destroyed. We presume that copies of all papers relevant are available in the India Office but there are certain papers of some historical interest such as original letters from the parties concerned and the notes leading up to correspondence which it might be desirable to preserve. We have not time to scrutinise the records paper by paper for these documents and if their preservation is thought to be of any interest would suggest sending the records as they are to the India Office for weeding out at some subsequent date. We should be grateful if you would reply by immediate telegram through the personal channel.¹

¹ Sir D. Montearth agreed to receive the records in tel 126 of 22 August. R/3/1/149. f 6.

189

Mr G. D. Birla to Sir S. Cripps

Public Record Office. CAB. 127/121

8 ROYAL EXCHANGE PLACE, CALCUTTA, 22 August 1946

Received: 28 August

My dear Sir Stafford,

I enclose herewith a copy of my letter to Major Henderson which speaks for itself. The situation is improving fast and I hope that after a week's time we will be very much normal. I don't expect any big disturbance after this riot.

In a way it was a mixed evil. The Muslims have realized that this sort of thing does not help anyone. And I am sure they will be very cautious in future in taking another step. The riots in Calcutta have been very serious for both the communities and specially the poorer classes. The Muslim League is apologetic. They realize that they took a false step and have made the people suffer for that.

Sarat unnecessarily criticized the Governor. I have met him twice and I like him. He is a man of commonsense and also action. Since he has taken over the charge of law and order, things are much better. But with this Ministry, we are not at all safe. It is on the lip of everybody that this Ministry must go. If it remains, it will remain only with the votes of Englishmen. They also, I hope, agree with the *Statesman*.¹

I hope you have recovered fully now and are keeping quite good health. Please remind me to Lady Cripps.

With kind regards,

Yours sincerely,
G. D. BIRLA

*Enclosure to No. 189**Mr G. D. Birla to Major Henderson*

CALCUTTA, 22 August 1946

My dear Major Henderson,

I am writing this when the things are quietening down. The riots started on the morning of Friday, the 16th. For three days there was a regular orgy of murder, loot and arson. According to the moderate estimates, nearly 6000 persons are killed and an equal number injured. The number of killed perhaps may be more. There are some who estimate that the killed may be as many as 15000. Many corpses have been thrown into the man holes and the river and hence it is difficult to make an accurate estimate. The roads were virtually littered with corpses which could not be removed for six days.

I had seen the riots of 1926 which were very serious. But the present one has no parallel in the history of India. Cruelty and fury was let loose without restraint.

The Muslim mind was worked up to a very high pitch. The "Direct Action Day" was to be the starting point. If Sir Nazimuddin's interview is to be taken as reflecting the mind of the League, a copy of which I enclose herewith,² then complete preparation seems to have been made for violence. Sir Nazimuddin's interview was a clear hint to Muslims as to what was expected of them. It is reported that the night before the riot started, motor lorries belonging to the Government of Bengal paraded the streets occupied by Muslim Leaguers for directing the mob.

When the Cabinet Mission was here, the question whether there could be any civil war in case of the League being disappointed, was widely discussed. When asked by Sir Stafford, I told him that there was no possibility of any civil war, but that there might be riots here and there. I opined that the Punjab, though substantially a Muslim province, was not a dangerous spot and that the only place where serious riots could take place was Bengal and specially Calcutta. But I added that with League Ministry in charge of Bengal, I hoped there might be no trouble unless the Ministry itself wanted it. To that, Sir Stafford said "If we find the Ministry incapable of maintaining law and order, we shall impose Section 93. Until the new Constitution begins to operate, we shall back the Provisional Government at the Centre and the other Governments in the Provinces." What at that time was vaguely feared about Bengal

¹ Editorials which appeared in the *Statesman* between 18 and 22 August 1946 were extremely critical of the Bengal Government's 'lamentable failure in judgment and executive ability'. It was felt that while no balanced person would charge the Ministry with planning the riots, nonetheless 'by confused acts of omission and provocation [it] contributed rather than otherwise to the horrible events'. The *Statesman* argued that recourse to Section 93 Government must now be closely considered though it accepted this might be undesirable on all-India grounds.

² Not printed.

has now become a reality. The Ministry of Bengal has completely lost the confidence not only of the Hindus, but of a large section of Muslims. I enclose a few cuttings from the *Statesman* which reflects, I suppose, the mind of Englishmen.

Everybody has suffered. Properties worth many millions have been looted. Many innocent Hindus and Muslims have lost their lives. Many houses of both the communities have been burnt. The incompetence of the Ministry is thoroughly proved. Worse than that, it is widely believed that there would have been no riot had it not been desired by the Ministry itself. Whether there is any justification for such a belief, I cannot say. But there is reasonable justification for such an inference.

The riot started on Friday morning and until the Governor himself took the charge by calling the military out in the afternoon of Saturday, there was no subsidence. The situation began to improve on Sunday. The credit of quelling the riot goes to the Governor and not to the Ministry.

I don't agree with Mr. Sarat Bose when he condemns the Governor. If the Governor is to be blamed, his only error was that he depended in the beginning on the Ministry instead of taking charge of the law and order himself. In Sind, the Ministry declared 16th a public holiday for "Direct Action" which subsequently was cancelled by the Governor. There is a feeling that the Governor here too should have done the same thing. But that perhaps would have been unconstitutional. I think he was strictly constitutional in giving the Ministry a long rope. Of course, it resulted in a catastrophe none can deny. But since the Governor took charge, he acted promptly and efficiently.

The police has been a total failure—partly because of its own weakness and partly because of the Ministry. The Ministry established itself during the riotous days at the Police Headquarters and directed the police, people say, not in a proper manner. I cannot, however, definitely say anything on this point. The *Statesman*, as you will see from its writings, has its own suspicions. The fact remains that the police was a total failure.

The Interim Government, I hope, is now coming shortly. I don't expect any trouble on that account. The gas is exhausted. The public opinion of all communities has strongly condemned the riots and is very much hostile to the Bengal Ministry. But even with other provinces quiet and calm and a good Government at the Centre, people will not feel secure unless there is a good Government in charge of Bengal.

Section 93 is not a permanent remedy. But even that is better than a bad Ministry. There may be a possibility, however, of a Coalition after the League is thrown out. This, however, depends very much on the European votes.

I don't see any chance of a coalition between the League and the Congress. There is a chance of a coalition between the Congress and the Muslims. It is possible that many Muslim members may part with League in Bengal and join

a good coalition if the League Ministry is defeated. The record of the last four years of Calcutta administration—famine, riots and now the communal riot—has been most disgraceful and what is wanted just now is a really good Government of capable and honest people. With the present Government, none would feel secure.

The business is paralysed. There is an exodus on large scale of panicky people from Calcutta. The food trouble is accentuated. The city has become awfully dirty since no conservancy is functioning for the last six days. Nobody feels secure even now. Everybody is guarding his own house. These are the days in which we are living in. The situation is improving and I hope if no new incidents take place, in a week's time we will be almost normal outwardly. Of course, the sense of insecurity will continue until the administration is replaced by a better one.

The political situation is not bad. There is no reason for pessimism. With all that has happened in Calcutta, it should not be forgotten that the whole of India is quiet and functioning normally. And there will be more sense of security and optimism after the Central Government begins to function. If Calcutta is a plague spot, it is not the fault of the people but the fault of the administration. Otherwise, India is quiet and normal.

The cuttings from the *Statesman* will give you some idea of the public feeling.³ *Statesman* has been a strong supporter of the League during the last three or four months. Evidently, it feels otherwise now.

I am sure you will show this letter to Lord Pethick-Lawrence. Please give him my best regards. I hope he has improved in health after the strenuous time he had in Delhi. I also hope that Sir Stafford too has improved immensely.

With kind regards,

Yours sincerely,

G. D. BIRLA

³ Not printed.

190

Note by Field Marshal Viscount Wavell

R/3/1/117: ff 80-4

SECRET

22 August 1946

NOTE ON INTERVIEW WITH PANDIT JAWAHARLAL NEHRU 22ND
AUGUST 1946

1. I began by saying that our whole object must be directed towards an eventual coalition with the Muslim League, and that in considering the present

proposals we must bear that in mind. For this reason I was averse to increasing the numbers to 15, though I recognised the advantage of having an Anglo-Indian representative.

2. I said that I could recommend to HMG the six Congress names he had given me, *viz*: Patel, Rajendra Prasad, Rajagopalachariar, Bose, Jagjivan Ram and Nehru himself. I asked whether he and Rajendra Prasad were still alternatives, i.e. that the President of Congress could not be a Member, and that one of them might be unable to join. He said that this was not yet decided, and would depend on a meeting of the Congress Working Committee and the A.I.C.C., which might be held in a few weeks time. I rather gathered that the intention was that both should remain if possible.

3. I agreed to the three Minority representatives: Baldev Singh, Matthai, and Bhabha, and asked whether I could assume that they had all accepted. He confirmed this, but said that Matthai had asked that he should not be called upon for a short time, as he was engaged in settling an industrial dispute at Tatas and wanted to complete this work.

4. We then turned to the Muslim representatives. I said that surely Fazlul Huq would let down the side badly with his reputation and instability; and that I advised Congress strongly not to include him. After a little discussion, Nehru agreed to withdraw his name.

I again suggested the possibility of leaving the Muslim seats vacant, but Nehru said the Congress were not willing to agree to this. I then said that I was prepared to recommend Sir Shafaat Ahmed Khan, Sayed Ali Zaheer, and Asaf Ali. I gathered that the last named had accepted provisionally on the telephone, though I think from what Nehru said that he may have done so with some reluctance. The other two Muslim names were to be left over for the present. Azad had decided not to come in.

5. Nehru then pressed again for a Council of 15 and the inclusion of Anthony as Anglo-Indian representative. I said I should be very reluctant indeed to increase the size of the Council, since I thought it would increase the suspicions of the Muslim League and make their joining more difficult. Nehru said that he was quite willing for an announcement that the Government would be cut down to 14, if necessary, when the League came in. I said at once that the words "if necessary" would not suffice to allay the suspicions of the Muslim League; and he said that they could be omitted if I wished. I asked whether it would not be possible to include Anthony in one of the vacant Muslim seats, but he said that he thought it was desirable that all five Muslim seats should be filled. I said I would consider the matter of the Anglo-Indian representative, but that I did not think I could agree to the increase of the Council to 15.

6. I then asked whether he had considered the matter of portfolios.

Obviously he had not. He said that he thought portfolios could be left until the Government got together. I said that they were of very great importance, particularly that of the War Member, since it was essential to keep the Army steady. He said that he thought that the Sikh Member might be appropriate. He himself would like to have External Affairs. For Finance, the choice seemed to lie between Rajagopalachariar and Matthai; and he seemed to prefer Matthai. I said that I thought it might be unfortunate to have a representative of Big Business like Tatas in the Finance Department, and that I should prefer Rajagopalachariar. I did not think it worth while to discuss portfolios further, but asked him to have a talk with his colleagues about it. I pointed out that when the Muslim League came in they would have to have a fair share of the principal portfolios, and that it would be a pity to have to change over people from portfolios they had already held.

7. He then went back to the question of Anthony, and pointed out the advantages of having an Anglo-Indian representative, in view of their position in the Railways and Posts & Telegraphs, etc. I said that once we got him in and increased the Council to 15 it would create a lot of feeling if we had to omit him on reconstruction. He said that it might be possible to omit instead some other Member; and said that there were, for instance, several important posts abroad which had to be filled. I agreed that there were several important posts, at Washington, in Ceylon, in Burma, and in London, which would require good men. He said that Aney in Ceylon, whom I had mentioned as having served his time, was a good man but had been completely out of place in Ceylon.

8. I then went on to the question of the date of announcement, and said that I thought he should take into account the matter of the Id holiday on the 28th or 29th, and the danger of disturbances on that date if the composition of the Interim Government had been announced immediately before. He said he would consult his colleagues on this point and let me know; there might certainly be some danger in the announcement of a Government before the Id, on the other hand there was also danger in the further delay. He asked me how soon after announcement the Government would start functioning; I said as soon as possible; that my intention was that the Government should be sworn in immediately and should start work at once. I said that all Departments were prepared for their new Members, with a list of the most important and urgent cases. I told him that I proposed to make a broadcast when the announcement of the new Government was made.

9. I spoke to him about Azad's suggestion to me¹ that I should get into indirect touch with Jinnah, and said that I could easily do so, but that I felt that

¹ See No. 176.

I must mention it to him first of all. He said that Congress was always in touch with the League through mutual friends, and that he did not think indirect approach by me would be suitable but that he would consult his colleagues. He said that they could have got several Muslim leaguers to join the Government, but that they had not wished to break up the League.

10. We then spoke of certain other matters outside the formation of the Government. I said that I had taken advice on his suggestion that the oldest member should be temporary Chairman of the Constituent Assembly, and that this seemed quite suitable and was the practice in France. I mentioned the C.P. resolution about the 1942 disturbances, which was being brought up on Sept. 2nd, and said that I believed he had prevented such a resolution being pressed in the U.P. and should be grateful if he could do the same in the C.P. He said that he had written to the Premier of the C.P. at the same time as he wrote to the Premier of the U.P.

11. Nehru seemed reluctant to go, though we had completed business, and we had a general talk about methods of physical exercises in the morning, sport in India, and one or two other topics. He told me that Congress proposed to hold a full session in November, possibly in Meerut. He was quite friendly. We agreed to meet tomorrow, provisionally at 11 a.m., when he would tell me the views of his colleagues about the date of announcement and the distribution of portfolios, and I would tell him what my decision was about the proposal to include Anthony. After this he proposes to go away to Allahabad for a few days.

The discussion lasted just over an hour.²

W.

² In tel. 1745-S of 22 August Lord Wavell told Lord Pethick-Lawrence that at his interview with Pandit Nehru that day he had agreed to all the names on Pandit Nehru's list (No. 182) with the exception of Mr Fazlul Huq whom Pandit Nehru had dropped. The position of Mr Anthony remained under consideration. Lord Wavell asked for the King's approval to be obtained for the names. In tel. 15470 of 22 August Lord Pethick-Lawrence conveyed the King's approval. R/3/1/117 and L/P&J/10/73.

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Field Marshal Viscount Wavell to Pandit Nehru

R/3/1/117: f 85

PERSONAL AND CONFIDENTIAL

22 August 1946

Dear Pandit Nehru,

I have thought over further the question of including Anthony in the Executive Council which we discussed this morning. As I told you I quite see the

advantage of having an Anglo-Indian representative in the Executive Council, and I have no objection to Anthony's inclusion if in spite of including him you can keep the total number down to 14. I do however feel that the matter of paramount importance is to leave no stone unturned to get the Muslim League to join the Executive Council, and I am afraid therefore that we must limit the Council to 14.

Yours sincerely,
WAVELL

192

Pandit Nehru to Field Marshal Viscount Wavell

R/3/1/117: ff 93-4

PERSONAL AND CONFIDENTIAL 18 HARDINGE AVENUE, NEW DELHI,
22 August 1946

Dear Lord Wavell,

Thank you for your letter¹ which I received this evening. I am sorry to learn of your decision, because I was anxious to have Frank Anthony in the Interim Government. I want the Anglo-Indians to be represented in it, but I do not see how this can be done now unless we have 15 members. I do not see why this number should come in the way subsequently of an arrangement with the Muslim League when we are prepared to make it clear that we shall then accept fourteen. It is quite usual for Cabinets to be reformed from time to time.

We have been anxious to have a coalition with the Muslim League and we shall continue to work to that end. But I want to make it clear that our idea of a coalition does not mean a submission to the demands or peculiar ways which the League has adopted. A coalition can only come into existence on the clear understanding that the League can nominate its five representatives and not interfere in any way with our choice of our representatives, including a Nationalist Muslim. When the League accepts this, then a coalition will come into the picture.

I do not know what your conception is of the proposed Provisional Government. Is it going to be just another kind of Caretaker Government waiting and hoping for the Muslim League to walk in when it feels inclined to do so? That would simply mean an ineffective unstable Government which cannot undertake anything worthwhile and which exists more or less on sufferance. That surely will not be the way to tackle any of the urgent problems that face

¹ No. 191.

our country, and certainly not the communal problem. That might well lead to a worsening of the situation and possibly even to a repetition of the horror of Calcutta. It is not for this that we would care to join the Provisional Government.

The country needs a strong, virile, active and stable Government which knows its mind and has the courage to go ahead, not a weak, disjointed, apologetic Government which can be easily bullied or frightened and which dare not take any step for fear of possible consequences. To give an impression to the country and our people that we are merely a casual and temporary Government waiting for the favour of the Muslim League is to undermine the prestige and authority of the Government. That way will not even lead to the coalition we hope for. It will lead to renewed attempts to bully and coerce, which again produce like reactions on the other side, as we have seen in Calcutta. The only proper approach is to make clear that while we shall always welcome cooperation, we propose to carry on firmly even if this is denied.

Calcutta has been a terrible shock to you and to all of us. And yet may I say that it has a personal significance for us which it cannot have even for you? Our friends and relatives are involved in these bloody murders, and our children and dear ones may have to face the assassin's knife at any time. It is this grim reality that we face. We shall face it, of course, without shouting, but we are not going to shake hands with murder or allow it to determine the country's policy. We shall still continue to reason with Hindu and Moslem and Sikh and others and try to win them over to the path of friendly cooperation, for there is no other way for the advancement of India. But we do not believe that cooperation will come out of appeasement of wrong-doing. Hence my dislike of approaches, direct or indirect, which have an appearance of this type of appeasement and are always likely to be misunderstood. The time will surely come when all of us, or most of us, will cooperate together. It will be retarded by wrong tactics and approaches. We may have rough weather ahead. We must have a strong and stable ship if we are to face it with confidence.

I have written this personal letter to you soon after receiving your letter. We may have much to do with each other in the future and you should know how I feel about the present situation.

I intend going to Allahabad day after tomorrow, Saturday, morning by air. I shall return for the meeting of our Working Committee on the 27th August.

Yours sincerely,

JAWAHARLAL NEHRU

193

Pandit Nehru to Field Marshal Viscount Wavell

R/3/1/117: f 88

18 HARDINGE AVENUE, NEW DELHI, 22 August 1946

Dear Lord Wavell,

I have consulted my colleagues about the date of announcement. We feel that any delay will be inadvisable. As it is, all manner of rumours are spreading and newspapers are even publishing lists of names of the Interim Government. This kind of thing keeps up a certain excitement and is more likely to lead to trouble than a formal announcement which brings definiteness. We would, therefore, prefer as early an announcement of the Interim Government as possible and we would like to impress upon you the advisability of doing so.

Yours sincerely,

JAWAHARLAL NEHRU

194

Mr Horace Alexander to Lord Pethick-Lawrence

L/PEJ/7/5935: ff 2-3

I UPPER WOOD STREET, CALCUTTA, 22 August 1946

Dear Lord Pethick-Lawrence,

I have heard indirectly of you from time to time since the return of the Cabinet Mission to England, and I hope by now you have fully recovered from the exhaustion of those weeks. I was very sorry to learn that Sir Stafford had to have a month's holiday.

After touring India with the unofficial American Food Mission (they were a quite excellent team under a first-class chairman, Dr Theodore Schultz of Chicago) I spent three weeks in Delhi, working in connection with the Food Department, and I attended the Ministerial Food Conference on Aug. 9th and 10th, which was a most satisfactory conference, admirably conducted by Sir Robert Hutchings, in which there were many signs of a desire on the part of each province and State to play its part in preventing famine, and a gratifying lack of recriminations. I hope they will be as good as their word during the coming three months of danger.

Returning to Calcutta on the 12th, I was hoping for a quiet fortnight at the headquarters of the Friends Service Unit here, but of course, we have had

anything but a quiet time. I think you may like to have a few comments on the events of the past week here in Calcutta.

One of our members here is secretary of the Bengal Red Cross, and he and two or three others were already actively at work in the worst affected areas of North Calcutta by the afternoon of "Direct Action Day". All the rest of our members were busy from the following morning (17th) onwards. I was myself out in a Red Cross van on the morning of the 17th, which was perhaps the worst day of all, and I was in the affected areas on several other occasions. The Red Cross includes plenty of both Hindu and Muslim workers, and they worked finely together. Some of the comments I heard from them were illuminating.

Here are a few points of interest. With regard to the police: they came in for such severe criticism last winter for acting too soon and too violently that one hesitates to criticise them for coming in too late this time. But I must record that I have not heard of any instance of effective intervention from the police during the whole of Friday and Saturday. I have heard several stories of the police looking on or refusing to intervene. On Saturday morning,¹ when we were in a very badly affected area, rescuing a family who were in danger, a party of police came along followed by a lorry, and occasionally firing a shot into the air. The sound of these shots gave the armed goondas and the looters a few moments warning, and they speedily made off, or melted down the side alleys. Within a few minutes the police passed and the roughs reappeared. All the streets at that time were lined with youths carrying most murderous-looking weapons. Apparently no arrests were being made. The failure to call in the help of the military until Saturday afternoon seems to me to call for very severe censure. Their action immediately led to an improvement.

Again, I realise that a Government that calls in the military too soon is instantly criticised for acting too harshly; and there will no doubt be some rather bitter comments from the Government side that the very people who criticised the Government last winter for using the military to excess, were now clamouring for its use. But, obviously, what matters is not what this or that party leader is saying, but what the safety of the ordinary citizen requires. And I have yet to meet any citizen of Calcutta who can understand why there was such a long delay in calling them in, in the light of the plain impotence of the police.

It has been very gratifying for the English man or woman to feel that, for a change, Indians of both communities have been looking upon him as a friend and protector. I had the experience, for instance, that when we went to rescue a Hindu family from a Muslim suburb where their Muslim protector had had his car burnt by the Muslim roughs (this sort of incident, by the way, has been quite common—on both sides, much to the credit of both communities) the family said they could not come out into the open road without an

armed escort. But as soon as they saw my white face, apparently they decided that I was sufficient protection! They did not ask what arms I was carrying. Possibly they assumed that every Englishman always goes about armed! But I am not at all sure that this mood of friendliness to the Britisher will last. Apparently, on further reflection, they are, in some cases, beginning to say to themselves: "This business may have been planned by the Muslim League or some of its agitators; but see how beautifully it fits into the designs of the British Imperialists. After all, there is still a British Governor, with British advisers. He cannot divest himself of all responsibility, especially in essential matters of law and order. Why did not they intervene sooner? Perhaps because they wanted the world to see how unfit we are for self-government."

You will not think I am identifying myself with this point of view. But in the past day or two, I have heard it from more than one quarter. The position of an English Governor who is trying to act constitutionally here at the moment seems to me practically intolerable. The Ministers can obviously only learn to govern well if allowed to govern badly and to reap the fruits of such misgovernment; and yet I am sure from many things I have heard you say this summer, you will be the first to recognise that until the Act making India independent is really operative, the British authority cannot wholly divest itself of its moral obligation to the masses of the Indian people. What I am pleading is that this most grave situation should be faced squarely in its moral issues, and that it will not do to say that because law and order are the responsibility of Indian Ministers, the Secretary of State and Parliament have *no* responsibility for what has happened.

Looking at the thing in its broader aspects, I think you will be justified in saying that this was just the kind of thing you feared and anticipated when you strove so hard to get the two major parties to agree to a coalition; and that a very heavy responsibility rests on those, whether Gandhi or Jinnah or others, whose action prevented that. But so it is. A high British official in Delhi the other day, one who has had extensive experience in the policing of Bengal for years, said that from his reading of history, he hardly knew of any country that had achieved its freedom without serious civil commotion, and I suppose that is true. He thought it almost unreasonable to expect India to be an exception. No doubt we must anticipate more trouble here and elsewhere. Europeans of moderate views and long experience with whom I have spoken in the past few days seem very gloomy about the near future for Bengal. And all seem to think that the best hope is to work for a coalition Ministry. Of course, I know that various efforts have been made to achieve this in recent years and they break down, ultimately, it would seem, on Jinnah's veto, because a League-Congress coalition here is a denial of Pakistan. And if there is no coalition at the centre, how can there be one in Bengal? In spite of those arguments, it

¹ 17 August.

seems to me that the need for it is so manifest that a great effort ought to be made. Unhappily, in addition to the obstacles I have already mentioned, I have the impression that the officials who are likely to advise the Governor in this matter adopt a defeatist attitude to it. They are inclined to say that the party leaders are a hopeless lot, that they have known them for many years, that they have no public spirit, and so on. I venture to plead that this is a wrong attitude to take. I don't think I have any illusions about the leaders here. They certainly are a poor lot. But I know several of them fairly well personally, in a way that none of the British officials really know them; and I do not believe that it is beyond hope that the Governor, if he will treat them as men, and try to evoke everything that is good in them, may achieve something. I am particularly glad to learn from some of them that they have been meeting him for the first time during the last few days, and that they are favourably impressed with him. I hope he will take the responsibility on himself of working patiently with them until he succeeds in bringing them into an agreement. The present seems to be the best moment possible for such an effort. Looked at coldly and logically, it appears to be an impossibility. But the situation demands it. Therefore I hope a great effort will be made.

Yours sincerely,

HORACE ALEXANDER

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Note by Field Marshal Viscount Wavell

R/3/1/117: ff 110-12

TOP SECRET

23 August 1946

NOTE ON INTERVIEW WITH PANDIT JAWAHARLAL NEHRU

23RD AUGUST 1946

1. I began by referring to Nehru's letter of the 22nd;¹ I said that I had decided that the numbers of the Government must be restricted to 14, so that a place could not be found for Anthony, but I suggested that he might perhaps be found a place as Under-Secretary in some Department, as I thought that some of the heavily worked Departments might need Parliamentary Under-Secretaries.

I said that I agreed with him that a resolute and decisive Government was required which would go ahead. Law and order must certainly be kept, but the policy towards the Muslims must not be provocative, I would certainly not be a party to any attempt to break up the Muslim League by force. I said that I was quite convinced that without the cooperation of the Muslim League

there would be no chance of a united India or of a peaceful transfer of power. Nor would the States be likely to negotiate freely with a one-party Government.

Nehru made little comment on this and appeared to accept it.

2. We then agreed that the names of the new Government should be announced tomorrow (Saturday); and I told Nehru that I proposed to broadcast on Saturday evening. I showed him the rough draft of my broadcast, he read it and said that he had no comments to make.

3. Nehru agreed on September 2nd as a suitable date for the new Government to be sworn in, and that this date should be announced tomorrow.

4. He then asked me a number of questions about the working of Council, especially as regards Planning. He laid down some rather obvious foundations for planning as a whole, and talked about the scientific rather than the bureaucratic approach. I explained as far as possible the machinery for planning, and said that it was naturally most desirable that all development should be on an ordered plan; but that in actual practice it was difficult to carry out everything exactly according to programme, especially with so much to be done.

5. We had a little talk about portfolios, but he obviously was not prepared for any final discussion. I suggested that Rajagopalachariar would be the best Member for Finance, especially as he was accustomed to work with Sir C. Jones, the Secretary. I suggested that Matthai might be valuable in Works, Mines and Power, where there were so many important electro-hydro schemes. I also suggested that Bhabha would be a suitable Commerce Member, and that Rajendra Prasad or Patel might take the Home portfolio. Nehru noted these suggestions but made no comment.

6. He then spoke about representation at the UNO Assembly meeting, he said he had thought of Mrs. Sarojini Naidu, but was doubtful whether her health would permit her to go. I also mentioned the meeting of the Asiatic Section of the I.L.O., due to be held at Delhi in January, and the difficulties that might arise about accommodation.

We also spoke of one or two other matters, the date of the next meeting of the Legislative Assembly, for which I said we had in mind November the 11th; &c.

7. He asked me when the Constituent Assembly would meet. I said that he had suggested the middle of September, but would he like to wait till the Government was formed before finally deciding? He seemed to agree to this. I asked him what he had in mind as the programme for the Constituent Assembly if the Muslim League did not attend. He seemed to think that they

would draw up a model constitution for a Province, but agreed that it would not be possible for the Constituent Assembly to lay down any constitution for a Muslim Province without the Muslims.

8. He is going away tomorrow, and will be back on Monday evening, the 26th. There will be a meeting of the Working Committee on the 27th. I told him that I was going to Calcutta on Sunday and would be back on the evening of Monday the 26th.

9. He was friendly, but seemed rather quiet and depressed.

W.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/117: f 113

IMMEDIATE
CONFIDENTIAL

NEW DELHI, 23 August 1946, 9 pm

Received: 23 August, 8.55 pm

No. 1761-S. I have seen Nehru again and he agreed to omission of Anthony.

I propose that announcement of new Executive Council should be made in following terms tomorrow, Saturday evening, for publication in the morning papers of Sunday.

Begins: His Majesty has accepted the resignations of the present members of the Governor General's Executive Council. His Majesty has been pleased to appoint the following:—

(insert names approved by His Majesty excluding Anthony)¹

The interim government will take office on September 2nd. *Ends.*²

2. I propose to make a short broadcast on Saturday evening at 8.30 p.m. Indian Standard Time mainly to reassure Muslims.

3. We discussed portfolios but Nehru was not ready to reach final decisions.

¹ See No. 190, note 2.

In tel. 1766-S of 24 August, Lord Wavell informed Lord Pethick-Lawrence that the following sentence was being added to the communiqué after the list of names: 'Two more Muslim members will be appointed later'. R/3/1/117: f 117.

² In tel. 15556 of 24 August, Lord Pethick-Lawrence sent Lord Wavell his agreement to the announcement. *Ibid.*: f 115.

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Sir F. Burrows (Bengal) to Lord Pethick-Lawrence

L/PEJ/8/655: ff 95, 97-107

SECRET

CALCUTTA, 23 August 1946

Dear Secretary of State,

I enclose two copies of my secret report of the 22nd August to the Viceroy about the Calcutta riots.

Yours very sincerely,

F. J. BURROWS

Enclosure to No. 197

Sir F. Burrows (Bengal) to Field Marshal Viscount Wavell

SECRET

CALCUTTA, 22 August 1946

Dear Lord Wavell,

The series of telegrams, beginning with No. 192 of August 16th,¹ will have kept you apprised from day to day of the broad outline of the appalling disturbances that have occurred in Calcutta. In this letter I am attempting to give a fuller picture of the setting, the course of events, and my preliminary conclusions. It is too soon to expect a very accurate account even of the disturbances themselves, far less to attempt a balanced judgment either of the causes of the riots or the wisdom of the measures taken to quell them. I shall try to be as objective as possible, and shall in particular exclude all reference to food and relief, (about which I shall address you separately as soon as possible), and to the repercussions on my Ministry. I am sending a copy of this letter to Pethick-Lawrence by safe hand on a York plane.

2. *The setting.* Omitting the more remote causes of the riots—the long struggle for power between Hindus and Muslims, in which Calcutta is a focal point, the weakening of our authority which is an inevitable consequence of our impending departure, the dislocation of the normal life of Calcutta by war and famine, and the presence of a Muslim Ministry in a predominantly Hindu city—the proximate cause was the resolution of the Council of the All-India Muslim League passed at Bombay on July 29th,² calling on “the Muslim nation to resort to direct action to achieve Pakistan”, and the consequent fixing of August 16th as “Direct Action Day”. I enclose a cutting from the *Star of India* of August 9th—it was repeated in subsequent issues till the 13th—giving the programme for “Direct Action Day” in Calcutta.

¹ No. 154.

² No. 86.

3. The decision of my Ministry to declare a holiday under the Negotiable Instruments Act on August 16th has been a matter of some controversy. The decision was actually in the 'advice' sphere, though the consequent rearrangement of the Budget programme attracted my individual judgment. But the decision was taken with my full knowledge and approval; you will recall that I mentioned the point to you at Delhi on August 8th. It is easy to be wise after the event and to say that the trouble would not have occurred if there had not been a holiday, "for Satan finds some mischief still, for idle hands to do". I disagree; many of the mischief-makers were people who would have had idle hands anyhow. If shops and markets had been generally open, I believe that there would have been even more looting and murder than there was; the holiday gave the peaceable citizens the chance of staying at home. There was an adjournment motion in the Legislative Council on August 15th about the declaration of a holiday. The Chief Minister, defending the decision, said that though the Muslims would observe the day peacefully and in a disciplined manner, there was always a danger of conflict arising; Congressmen had in the past enforced *hartals* by violence, and Muslims might be tempted to follow their example, which in the present political atmosphere was bound to give rise to communal conflict. It was to minimize the risk of such conflicts that he had declared the holiday. In favour of the decision it may be said that the declaration of a Negotiable Instruments Act holiday gave everyone who wanted to avoid trouble a face-saving excuse for shutting up shop. The European shops eventually decided to do so, and I know of no European-owned shop that received any damage. The trouble seems generally to have started when Hindu-owned shops refused to close. I do not for a moment seek to justify the forcible closing of shops but only to emphasize that the steps taken to bring about closing by "peaceful means" probably in fact reduced the initial foci of friction. I believe the action of the Europeans in closing their shops certainly saved them from destruction and helped to canalise the trouble into a straight Hindu-Muslim affair. The successful general strike of the 29th July affords no parallel. That was a *hartal* in support of one party to a labour dispute in which both Hindus and Muslims were interested as workers. The *hartal* was enforced by the most vigorous picketing, but the pickets were drawn from both communities in a common (industrial, not communal) cause. There was no trouble that day because no one resisted the picketers. When the picketing is by one community against the other, friction is bound to result.

4. As regards the probabilities of trouble and its possible extent, we found it extremely difficult to arrive at any confident appreciation in advance. Outwardly both major parties and also the independent Scheduled Caste leaders, who had announced their intention to support the Muslim protest, had emphasised the necessity of keeping the peace. On the other hand the atmosphere

was admittedly explosive and we realised—and I impressed it on my Chief Minister and all his colleagues—that the League were playing with fire. Even up to the last moment there was doubt as to the attitude of trouble-makers like the C.P.I. and of the Unions, such as the Tramway Workers, which they control. A last minute decision by the Tramway workers and Bus owners not to run their vehicles came as something of a relief to me as any attempt to ply would have resulted quickly in attacks on all forms of road transport and experience had taught us that in the Calcutta of today violence once it begins spreads quickly. In this state of uncertainty, while hoping for the best, we prepared for the worst. The police from early in the morning of the 16th took what is technically called "Emergency Action": that is to say the whole police force of the city was mobilised. 250 armed and 250 unarmed police were kept ready in buses at police headquarters for immediate deployment and the rest of the armed force was kept standing by in lines. The traffic police were not put on the roads but were kept standing by as an armed reserve. As it was impossible to say where, if anywhere, trouble might begin, the police were not deployed in advance but patrols were used to watch the situation. The Army were in a state of readiness with the Yorks and Lancs at Fort William, the East Lancs at Churchill Ct and the Red Road Transit Camp in South Calcutta, the Green Howards at Barrackpore, the 1/3 Gurkhas and the 5/9 Jats (largely employed in guard duties) at Alipore. We also had the 7 Worcesters in the Mill Area at Kanchrapara.

5. *Narrative of events.* It will perhaps make for clarity if I try to describe the course of events in chronological order, as they presented themselves to Government House. My Secretary was fortunately able to keep a running 'diary' of messages received by him and action taken thereon. This and my own observations, checked and amplified where necessary and possible by reference to the civil and military officers concerned, form the basis of this narrative for which, accordingly, I cannot claim completeness or objective accuracy. I have, however, thought it best to let you have something at once, at the risk of having to modify the views expressed as reports are received and collated later on. I should make it clear that there has been no opportunity to show the narrative as a whole to any authority outside Government House.

6. *Friday, August 16th.* Even before 10 o'clock Police Headquarters had reported that there was excitement throughout the city, that shops were being forced to close, and that there were many reports of stabbing and throwing of stones and brickbats. The trouble had already assumed the communal character which it was to retain throughout. At that time it was mainly in the northern half of the city. (Later reports indicate that the Muslims were in an aggressive mood from early in the day and that their processions were well armed

with lathis, iron rods and missiles. Their efforts to force Hindu shops to close as they passed through the streets were greeted with showers of brickbats from the roofs above—indicating that the Hindus were also not unprepared for trouble—and from this sort of exchange of missiles, matters soon degenerated into arson, looting and murder). The situation deteriorated during the forenoon and at 2.40 P.M. the Chief Secretary rang up my Secretary to say that the position had become so serious that he supported the request of the Commissioner of Police that the Army should be called in at once in aid of the civil power. I gave instructions that the Chief Secretary should try to get in touch with the Chief Minister, but at the same time I agreed on my own responsibility to their being called in without delay. I also gave the Commissioner of Police a personal assurance that I would support him to the utmost in any measures taken by him to restore order. Ten minutes later the Commissioner of Police reported that the Chief Minister had already agreed to the calling in of troops. He added that the Police had used tear-smoke on crowds frequently and that the situation was bad in Harrison Road, Wellington Square and Corporation Street. (I am assuming throughout this letter that you have a large-scale map of Calcutta available). On receiving this report I decided to go out at once on a personal tour of inspection. I had with me the Commissioner of Police, the Area Commander and the Fortress Commander. There was possibly something of a lull at the time I was out as the Muslims were holding their meeting on the Maidan. I did not notice much sign at that time of looting in the areas I visited and I formed the impression that the situation was not as bad as I had expected to find it. I found that the proposal regarding the employment of troops was to utilise them in small parties of two or three men to block the entrance to side streets and alleys. The Fortress Commander with whom I discussed the matter during my tour of inspection did not like that method of using his men. We both agreed that small scattered groups of men would be lost in the crowds and might be overwhelmed and that thus use of our limited military forces would be ineffective. It was arranged that the Yorks and Lancs should be held in readiness at the Sealdah Station Rest Camp and should be brought in as mobile patrols whenever and wherever the Commissioner of Police required. (They arrived at Sealdah about 5 p.m. but, probably because of an improvement in the situation when the curfew was imposed, were not called upon for patrols till about midnight.)

7. Meanwhile the Muslim League meeting at the Ochterlony Monument was taking place. The meeting actually began at about 4.0 p.m. though processions of Muslims from all parts of Calcutta had started assembling from after the midday prayers. A large number of the processionists are reported to have been armed with iron bars and lathis. The numbers attending were estimated by the Central Intelligence Officer's reporter (a Hindu) at 30,000 and by a

Special Branch Inspector (a Muslim) at 500,000. The latter figure is impossibly high and the (Muslim) *Star of India* reporter put it at about 100,000. The main speakers were Nazimuddin and Suhrawardy. The former in a woolly speech on the whole preached peacefulness and restraint but rather spoilt the effect by asserting that till 11.0 that morning all the injured persons were Muslims, and the Muslim community had only retaliated in self-defence. The Chief Minister made a Laodicean speech, of which his audience naturally remembered the hot passages more clearly than the cold. The Special Branch, by a culpable omission, sent only one Urdu shorthand reporter to the meeting, with the result that no transcript of the Chief Minister's speech is available. But the Central Intelligence Officer and a reliable reporter deputed by the military authorities agree on one most mischievous statement (not reported at all by the Calcutta Police whose report reached us first). The version in the former's report is:—"He had seen to police and military arrangements who would not interfere". The version in the latter's is:—"He had been able to restrain the military and police". Whatever he may have meant to convey by this—and it emphatically is not a fact that the Police received any orders to "hold back"—the impression an uneducated audience would form of such a statement by the Home Minister must have been that it was an open invitation to disorder; and in fact many of the listeners started attacking Hindus and looting Hindu shops as soon as they left the meeting.

8. At 6 P.M. on ringing up the Police Headquarters Control Room at Lall Bazar for a report on the situation, my Secretary was informed by the Chief Minister that it was "bad and likely to get worse"; the situation in Bhowanipore (a Hindu locality) was, he said, serious and he feared for the safety of the League processionists returning to their homes. (I may say in parenthesis that the Chief Minister spent a great deal of time in the Control Room in Lall Bazar, often attended by some of his supporters. This made it extremely difficult for the Commissioner of Police, who was primarily responsible for handling the situation, to give clear and balanced decisions on all the numerous calls for help that were pouring in. It is not of course the function of a Minister to direct detailed operations, but the position was one of considerable delicacy as the Commissioner of Police could not insist on the extrusion from the Control Room of the Minister responsible for law and order. Short of a direct order from me, there was no way of preventing the Chief Minister from visiting the Control Room whenever he liked; and I was not prepared to give such an order, as it would clearly have indicated complete lack of faith in him.) A more balanced appreciation of the position was obtained from the Home Department and formed the basis of the first of my telegrams (No. 192). At 8.30 that evening I agreed to a curfew being imposed from 9 P.M. till 4 A.M. I did this with some reluctance, partly because the decision was taken

too late to make it possible to enforce it strictly, and partly because I thought that the repercussions outside India might be undesirable.

9. *Saturday, August 17th.* In answer to an inquiry at 2 A.M. the Commissioner of Police reported that the curfew,—aided, I fancy, by a thunder-storm,—had been effective for a short time but that gangs were roaming the streets by midnight terrorising householders and indulging in stabbing, looting and arson. The situation had deteriorated still further between midnight and 2 A.M. He had therefore arranged for the Yorks and Lancs, who were standing by at Sealdah, to patrol Vivekananda Road. It had also been arranged that the battalion of the Green Howards should be brought from Barrackpore to Howrah. They actually took up positions of readiness in Howrah at 1.15 A.M. on the 17th. During the later part of the night of the 16th/17th things were rather quieter, partly as a result of the military patrols in the Vivekananda Road area. There were, however, almost incessant telephone calls for help, many against apprehended as well as actual attack. Tension began to rise again as the morning went on and, after sending my second report to you (telegram No. 193),³ I went out for another extensive tour of inspection, traversing Bow Bazar Street, Sealdah, Harrison Road and Chitpur Road. It was this tour that convinced me that the reports that I had received of the seriousness of the situation had erred on the side of under-estimation. I observed very great damage to property and streets littered with corpses. I can honestly say that parts of the city on Saturday morning were as bad as anything I saw when I was with the Guards on the Somme. Feeling was entirely communal—not anti-Government or anti-Police—but the attitude of the crowds was extremely hostile and menacing. They had developed a regular technique in dealing with the mobile police patrols. On the approach of a police lorry the crowd would disappear into side-alleys, only to re-form as soon as the patrol had passed. I actually saw—though at a distance—three cold-blooded murders committed in quick succession,—a crowd clubbing three unfortunate individuals to death. (It is worth remarking on the bestiality of the mobs, to which many people have testified. Many corpses were stripped and mutilated.) The attitude of the police party escorting me, the Fortress Commander and the Chief Secretary on our tour, was unsatisfactory and lends colour to the allegations that during the early stages of the disturbances the police force as a whole were not very willing to resort to firing. I do not wish to give a considered opinion on this point, but it would not be a surprising result of the constant vituperation levelled in the Legislature and the Press against any police officer who resorts to firing however fully the circumstances justified his action. (The case of an Inspector who was severely criticised by the Coroner for the part that he played in suppressing the riots last November is an example to which great publicity was given last March.)

10. On my return at about noon I held a conference with the acting Area Commander, the Fortress Commander, the Chief Secretary and the Commissioner of Police, and it was decided to stage a military operation in the area worst affected. This was a densely populated area of between 2 and 3 square miles bounded on the south by Bow Bazar Street, on the east by Upper Circular Road, on the north by Vivekananda Road, and on the west by Strand Road. The forces employed were the Green Howards, the Yorks and Lancs, and the Worcesters. Each battalion was aided by one Deputy Commissioner of Police, 15 Police Sergeants or Inspectors, and a body of armed police. The operation began at 3.30 P.M. and complete control of the area was gained by 6.30 P.M. 818 rounds were fired by these three battalions. Some criticism has been heard against the concentration of most of the available military forces in a limited area when many other parts of the city were seriously disturbed. I believe myself that the decision was a wise one: there is no doubt that up to this time this was the area *most* seriously affected and after this operation it gave no further serious trouble. To have dissipated the limited forces available might have pleased individuals in other parts of the city who were praying for a sight of anything in khaki, but it would not have been an effective method of gaining control over the situation as a whole. Shortly before the operation began I had held a long discussion with the Chief Minister. He put forward the view that military pickets at strategic points were needed more than patrols, and that the number of armed police pickets should also be increased. He urged rigid enforcement of the orders under section 144 of the Criminal Procedure Code imposing a curfew, and prohibiting meetings of five or more persons in a public place and the carrying of any kind of weapon. (The latter order had been promulgated at about 8 o'clock that morning.) We were of course, agreed upon the necessity of enforcing these orders.

Later in the afternoon it became clear that the situation in south-east Calcutta in the neighbourhood of Entally and Park Circus (an important residential area of well-to-do Muslims) was becoming increasingly tense. The night of the 17th/18th, however, was quieter than the preceding night in the sense that there were fewer major incidents: but that "quieter" is a comparative term is shown by the fact that one Deputy Commissioner during an early morning round in one particular area counted fifty new corpses.

11. *Sunday, August 18th.* I spent most of the morning in conferences. The first was with the Army Commander (who had just returned from Ranchi) and the acting Area Commander about the dispositions of the forces already in the city and the troops that might be available elsewhere if the situation demanded it. I must take this opportunity of expressing my gratitude to the Army Commander for the readiness with which he met my suggestions. The

close personal liaison which we had established ever since my arrival here has been of inestimable value during this emergency. The actual dispositions of troops during Sunday were as follows:—

One battalion of the 1st/3rd Gurkha Rifles dominated and patrolled the Dock area (Kidderpore, Watgunge, and Garden Reach) where there had been a good deal of stabbing the previous day. One company of the 5th/9th Jats patrolled the outskirts of South Calcutta; the remainder of the battalion was already fully employed on static guard duties. The East Lancs were engaged throughout the day in patrolling south and south-east Calcutta; and the Worcesters and Green Howards continued to dominate and patrol the area cleared by the three battalion drive the previous afternoon. During the afternoon they also cleared an area bounded by Vivekananda Road, Central Avenue, Sovabazar Street and Strand Road, where the situation had been serious and crowds seemed to be re-assembling for further mischief. The Yorks and Lancs, withdrawn into Fort William at the close of the three battalion operation on the 17th, had been given a night in bed and constituted one only immediately available reserve to deal with any fresh emergency.

Later in the morning I also held a conference with the Chief Minister and four of his colleagues, the Chief Secretary and the Commissioner of Police. This was mainly concerned with arranging the broad outlines of the rescue and relief organization. During the later part of the conference the Army Commander and Area Commander joined us, and there was a good deal of discussion on the respective merits of static pickets, which were favoured by the Ministers, and mobile patrols. The Army Commander said that in a huge city with a limited number of troops and small possibility of reinforcements, to scatter the forces in static pickets would leave no reserve for dealing with any fresh outbreak on a huge scale; his own view was that a moving patrol was more effective than a static picket which could be located and bypassed. He agreed however to the posting of a number of pickets in the "dominated" area. After the conference was over I made another tour of inspection, this time with the Army Commander and the Chief Minister, covering large areas in the south and south-east of the city which I had not visited before. The Chief Minister showed an exasperating preoccupation with the sufferings undergone by members of his own community. The situation on Sunday evening may be summed up by the sentence in my telegram No. 197⁴ that except in the area covered by the military operations the previous day no substantial improvement could yet be claimed with any confidence. In the evening the Army Commander was able to inform me that reinforcements for which he had asked after our discussion in the forenoon—the Norfolks from Ramgarh, the 4/7th Rajputs (from Ranchi), the 3/8th Gurkhas (from Parbatipur) and some R.I.A.S.C. personnel—were all entrained or entraining and should be available in Calcutta by the afternoon of the 19th or early next day.

12. *Monday, August 19th.* The tide, however, was in fact now on the turn and the night of the 18th/19th was a good deal quieter, though there were several incidents in Entally and Bhowanipore. In the latter area, the Police had to resort to firing on many occasions and this eventually restored the position. In the course of the morning I gave an interview to Mr. Sarat Bose, Mr. G. D. Birla and Dr. B. C. Roy. Bose had actually already seen me on the 17th. Their attitude was on the whole constructive and reasonable (even if Bose did consider it necessary to move Delhi about the failure of his telephone here). Later in the morning I saw the Chief Minister, the Commissioner of Police and the Chief Secretary. Among other things it was decided as a precautionary measure to issue a circular telegram to all District Magistrates and Superintendents of Police to nip in the bud any signs of communal trouble in the districts with the utmost firmness. It was also decided to adjourn the Legislature for a week, as the Leader of the Opposition had agreed to this suggestion. (Actually, owing to the Id holidays already arranged, this meant an adjournment of a fortnight.) Both Houses will meet again on September 2nd. This breathing-space will, I hope, be valuable both constructively—to enable us to get on with the huge task of reviving the normal life of the city—and negatively in that meetings of the Legislature now would almost certainly fan the flames of communal passion which are still very high. It will also give time for party feelings to crystallize on the subject of the riots, and possibly on the impending changes in the Central Government. (The actual mechanics of adjournment presented some difficulty; the President and the Speaker with their respective Secretaries had to attend the Legislature and solemnly adjourn both Houses for want of a quorum.)

It was during Monday afternoon that I received your very kind offer of a personal visit to Calcutta; I am sure that you will have appreciated the reasons which led me to the conclusion that at that stage a visit from you might have been misconstrued. The demand which I now see is being made by Sarat Bose and Mrinal Kanti Bose (of the *Amrita Bazar Patrika*) for my immediate recall bears out my belief that a visit at this time would have lent itself to misconstruction.

The military dispositions on Monday remained substantially as before. Early in the morning the Worcesters did a drive in the area bounded by Beadon Street, Upper Circular Road, Shyambazar Street and Central Avenue. For the rest of the day they, with the assistance of the Yorks & Lancs and the Green Howards, dominated and patrolled North Calcutta; the East Lancs continued to patrol south and south-east Calcutta. The Dock area was patrolled by the 1st/3rd Gurkhas as before, while the 5th/9th Jats were employed on guard, refugee, and escort duty. As the situation in Bhowanipore was still causing a certain amount of trouble, I instructed the Commissioner of Police to take

special precautions there during the night, adding that, with the reinforcements now arriving, there were plenty of troops available and they should be called on without hesitation, if required. One of my most troublesome problems that day was the removal of the very large numbers of decomposed corpses whose presence in the streets was having an adverse effect both on morale and hygiene. The Corporation "domes" were out of action, but the Army came to my rescue on the basis of Rs. 5 a body to volunteers. They removed a large number during the night and found it a grisly job.

13. *Tuesday, August 20th.* During the morning I made another tour of Calcutta with the Army Commander and the Area Commander and noticed a very marked improvement in the atmosphere in the city. The improvement was maintained throughout the day to such an extent that in the evening I was able to give a brief message of re-assurance on the wireless. I may mention here that we were singularly fortunate in that the electricity, gas and water services have been fully maintained throughout.

On the evening of the 20th I received the following figures from the Surgeon-General of casualties handled in hospitals up to the evening of the 19th:—

Total admissions (alive)	..	2931
Subsequent deaths in hospital	..	168
Discharged	..	569
Remaining under treatment	..	2194
Brought in dead	..	276

These figures give a total of 444 dead handled in hospitals, but this is only a very small proportion of the total number of fatalities as the great majority were left lying in the streets and in wrecked houses. No appropriate figure of the dead can yet be given: it must be 2000 at the very least and may be substantially more.⁵

14. *Conclusions.* As I said at the beginning of this letter, it is far too early to attempt to form a balanced judgment on the causes of the riots. But I am venturing to state very briefly the outstanding facts of the affair.

(1) Though "Direct Action Day" was intended to be a gesture against the British, there was not, as far as I know, a single case of any attack on a European or even an Anglo-Indian as such. European shops, which had suffered seriously in February (and which incidentally presented a very tempting target to the crowds at the Ochterlony Monument meeting) were left severely alone. It is almost uncanny how in the European shopping centres the Indian shops had been selected for destruction.

(2) The scale of rioting was unprecedented. It was a pogrom between two rival armies of the Calcutta underworld. The fact that over 2000 persons of the "goonda" type who had been confined under the Defence of India Rules during the war were released between July and December 1945 is of great significance.

(3) The only thing which prevented a complete collapse of the administration was the three battalions of British troops, who were readily available for this sort of emergency. Though the occasion and nature of the emergency could not be foreseen, the Army Commander and I had long agreed on the necessity of such a disposition of troops. I could not possibly have held Calcutta with the police alone, and I am extremely doubtful if Indian troops would have inspired sufficient confidence.

(4) That the infection did not spread immediately to the districts is a fact for which we cannot be too thankful. We had to take a big chance in denuding Howrah and the mill areas of troops on the 17th.

(5) The obligations of the Constitution made my task far harder. My special responsibility for law and order is not a "discretionary" matter, and in handling the situation, particularly at the outset, I had always to consider the susceptibilities of my Ministry. The dual personality of Suhrawardy, as Chief Minister (in charge of the Home portfolio) and as the most influential member of the Muslim League in Bengal, was a constant embarrassment.

Yours sincerely,

F. J. BURROWS

Enclosure

STAR OF INDIA—13.8.46

PROGRAMME FOR DIRECT ACTION DAY

The Secretary of the Calcutta District Muslim League notifies:—

The All-India Direct Action Day, declared by the All-India Muslim League, will be jointly observed in Calcutta, Howrah, Hooghly, Matiaburz, 24-Parganas mill areas under the direction of the Calcutta District Muslim League. The programme for the Day is as under:—

(1) Complete hartal and general strike in all spheres of civic, commercial and industrial life save and except the essential services of water works, hospitals, physicians' clinics, maternity centres, light, electricity, gas and postal services.

(2) Processions, "Kafelas" and "Akharas" with music bands and Tabal-jungs will start from all mohallas in Calcutta, Howrah, Hooghly, Matiaburz and 24-Parganas and converge at the foot of the Ochterlony Monument between 3 and 6-30 p.m.

(3) Joint mass rally and meeting of Calcutta, Howrah, Hooghly, Matiaburz and 24-Parganas will be held at foot of Ochterlony Monument from 3 p.m.

⁵ On 18 November, in a Written Answer to a Parliamentary Question by Mr R. A. Butler, Mr Henderson gave the following casualty figures for Calcutta for the period 16-19 August: 4,000 dead, 10,000 injured. *Parl. Debs.*, 5th ser., H. of C., vol. 430, Written Answers to Questions, 18 November 1946, cols. 13-14.

on Friday the 16th August. Hon'ble Mr. H. S. Suhrawardy, leader Bengal Muslim League Parliamentary Party and Prime Minister Bengal has consented to preside.

(4) Representatives of minorities, suppressed and oppressed people and anti-Fascist parties who have been unjustly bypassed by the British Government and who are ready to make common cause with the League in its fight for the equal freedom of the Muslims, the Hindus, the Scheduled Castes, the Adibasis, the tribals, the Christians and other peoples are welcome in the meeting.

(5) Every ward and branch league must prepare a complete list of mosques in its area, depute three workers in every mosque on Friday, the 16th August to explain the new policy and action plan of the League before JUMA prayers and to report to the District League about this arrangement. A manifesto on the subject has been specially published and is available from 8, Zakaria Street, Calcutta.

(6) Special Munajat (Prayer) should be offered in every mosque on Friday after Juma prayers for the freedom of Muslim India, the Islamic world and the peoples of India and the East in general. The "Munajat" has been printed and published and is available from 8, Zakaria Street, Calcutta.

I appeal to the Musalmans of Calcutta, Howrah, Hooghly, Matiaburz and 24-Parganas to rise to the occasion and make the rally a unique success. We are in midst of the rainy season and the month of Ramazan fasting. But this is a month of real Jihad of God's grace and blessings, spiritual armament, and the moral and physical purge of the nation. It is a supreme occasion of our trial. Let Muslims brave the rains and all difficulties and make the Direct Action Day meeting a historic mass mobilization of the Millat.

Muslims must remember that it was in Ramazan that the Quran was revealed. It was in Ramazan that the permission for Jihad was granted by Allah. It was in Ramazan that the Battle of Badr,⁶ the first open conflict between Islam and Heathenism was fought and won by 313 Muslims and again it was in Ramazan that 10,000 Muslims under the Holy Prophet conquered Mecca⁷ and established the kingdom of Heaven and the commonwealth of Islam in Arabia. The Muslim League is fortunate that it is starting its action in this holy month.

⁶ In A.D. 624 about 300 of Mohammed's followers defeated about 900 Meccans.

⁷ In A.D. 630.

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Sir F. Bourne (Assam) to Field Marshal Viscount Wavell (Extract)

L/PEJ/5/139: ff 44-5

No. 232.

GOVERNMENT HOUSE, SHILLONG, 23 August 1946

7. The 16th of August passed off peacefully everywhere except in Sylhet. I understand that in Jorhat, probably largely due to the presence of Maulavi Syed Muhammad Saadulla, the Muslim League procession was imposing: but from the point of view of strict communalists its complexion must have been somewhat marred by the fact that it was accompanied by a band comprised mainly of Hindus, led by a Chinaman and giving an indifferent rendering of "The British Grenadiers". In Sylhet rioting started in a mild form on the 16th between Muslim Leaguers and members of the Jamiat-ul-Ulema. There was some stone-throwing in a Mosque normally occupied by the Jamiat, and a Jamiat Muslim Hotel was damaged. On the next day there was a little looting of Hindu shops. The police appear to have behaved well. The District Magistrate is himself a Muslim and an experienced and tactful officer. Fortunately the Inspector-General of Police was able to bring in a detachment of the Assam Rifles from Silchar, who were of great value in keeping order. The Premier and the Home Minister went to Sylhet on the 17th and though their presence must have been to some extent embarrassing to the local officers, I think it is to their credit that they demonstrated personally their determination that order should be maintained. I now hear that the Deputy Commissioner, Sylhet, has reason to believe that the Muslim League propose to make Sylhet their principal base of operations in any direct action which may be decided on for what is described as "Interim-Government Day", which no doubt means the day on which Pandit Nehru's Interim Government is announced. The Sub-Area Commander has agreed to send a Battalion of the Assam Regiment less two companies to Sylhet to stand by. I think the early arrival of troops on the scene will be very salutary. There is no doubt every danger that Eastern Bengal will cause trouble, if the Muslim League is out for it, and should the anxieties of the Deputy Commissioner, Sylhet, prove to be exaggerated, the troops in question can easily be diverted from there to danger points in Eastern Bengal. Meanwhile we shall have time to get more Assam Rifles into position.

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*Text of Field Marshal Viscount Wavell's Broadcast on Saturday, 24 August
1946*

R/3/1/117: f 120

You will have heard the announcement¹ of the names of the members of the new Interim Government which will come into office very shortly. You will, I am sure, all realise that a very momentous step forward has been taken on India's road to freedom. Some of you who listen to me may feel, however, that the step should not have been taken in this way or at this time. It is to these that I want principally to address myself tonight.

You who are opposed to the formation of the new Government are not, I assume, opposed to the main policy of His Majesty's Government, namely, to fulfil their pledges by making India free to follow her own destiny. You will also, I think, all agree that we need at once a Government of Indians as representative as possible of political opinion in the country. This is what I set out to secure: but though 5 seats out of 14 were offered to the Muslim League, though assurances were given that the scheme of constitution-making would be worked in accordance with the procedure laid down, and though the new Interim Government is to operate under the existing constitution, it has not been possible at present to secure a coalition. No one could be sorrier about the failure than I am. No one could be more sure that it is a coalition Government in which both the main parties are represented that is needed at this moment in the interests of all parties and communities in India. This is a view which I know that the President of the Congress, Pandit Jawaharlal Nehru, and his colleagues hold as strongly as I do. His efforts like mine will still be directed to persuading the League to join the Government.

Let me state clearly the offer which has been made and is still open to the Muslim League. They can propose to me five names for places in a Government of 14, of which 6 will be nominees of Congress and three will be representatives of the Minorities. Provided these names are acceptable to me and approved by His Majesty, they will be included in the Government, which will at once be reformed. The Muslim League need have no fear of being out-voted on any essential issue; a Coalition Government can only exist and function on the condition that both main parties to it are satisfied. I will see that the most important portfolios are equitably shared. I sincerely trust that the League will reconsider their policy and decide to participate in the Government.

Meanwhile, however, the administration of India has to go on, and there are large issues which must be decided. I am glad that the representatives of a very large body of political opinion in the country will be my colleagues in carrying

on the government. I welcome them to my Council. I am also glad that the Sikhs have now decided to participate in the Constituent Assembly and in the Interim Government. I have no doubt that their decision is a wise one.

As I have already made clear, I shall implement fully His Majesty's Government's policy of giving the new Government the maximum freedom in the day to day administration of the country. In the field of provincial autonomy, of course, the Provincial Governments have a very wide sphere of authority in which the Central Government cannot intervene. My new Government will not have any power or indeed any desire to trespass on the field of provincial administration.

The recent terrible occurrences in Calcutta have been a sobering reminder that a much greater measure of toleration is essential if India is to survive the transition to freedom. I appeal most earnestly not only to sober citizens but to the young and to the discontented to recognise that no conceivable good either to themselves or to their community or to India can come either from violent words or from violent deeds. It is essential that in all Provinces law and order is maintained, that the protection of the ordinary peaceable citizen is assured with a firm but impartial hand, and that no community is oppressed.

The Army had to be called in at Calcutta to restore order and rightly so. But I must remind you that to suppress civil disturbances is not the normal duty of the Army but that of the Provincial Governments. The use of the Army is a last resource only. A general recognition of this basic principle is essential both from the point of view of the civil population and of the Army itself. I have heard much praise of the discipline and efficiency of the troops employed in Calcutta; and will add here my own tribute of admiration to my own service, for their behaviour in a duty which is the most exacting and unpleasant on which troops can be employed.

The War Member in the new Government will be an Indian, and this is a change which both the Commander-in-Chief and I warmly welcome. But the constitutional position of the Armed Forces is in no way changed. They still owe allegiance, in accordance with their oath, to the King Emperor, to whom and to Parliament I am still responsible.

In spite of all immediate appearances I believe there is yet a chance of agreement between the two principal parties. I am quite sure that there is a very large body of opinion in both parties and of non-party men who would welcome such an agreement, and I hope they will all work for it. I would appeal also to the Press to use its very great influence on the side of moderation and compromise. Remember, the Interim Government can be reformed tomorrow if the League decide to come in. Meanwhile it will administer in the interests of the country as a whole and not of any one party or creed.

It is desirable also that the work of the Constituent Assembly should begin

¹ See No. 196.

as early as possible. I can assure the Muslim League that the procedure laid down in the Statement of May 16th regarding the framing of Provincial and Group Constitutions will be faithfully adhered to; that there can be no question of any change in the fundamental principles proposed for the Constituent Assembly in paragraph 15 of the Cabinet Mission's statement of 16th May or of a decision on a main communal issue, without a majority of both major communities; and that the Congress are ready to agree that any dispute of interpretation may be referred to the Federal Court. I sincerely trust that the Muslim League will reconsider their decision not to take part in a plan which promises to give them so wide a field in which to protect the interests and to decide the future of the Muslims of India.

We have come to another critical and solemn issue in the affairs of India. Never were tolerance and soberness in thought and action more necessary; never were the wild speaking and rash deeds of a few fraught with greater danger for so many millions. Now is the time for all Indians in any authority, with any influence, to show by their good sense and restraint that they are worthy of their country, and that their country is worthy of the freedom it is to receive.

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Mr Anthony to Mr Attlee

Telegram, L/P&J/10/49: f 29

24 August 1946

Earnestly appeal to you to prevent continuing injustice to Anglo-Indian community. Our past services and recent war effort entitled us to the expectation that His Majesty's Government will help Anglo-Indians whose position made difficult in India because of services to British Administration. Instead Viceroy and His Majesty's Government doing everything possible to destroy position which built up with difficulty in India. In spite of Congress desire and insistence on a seat for Anglo-Indians in Interim Government we are being excluded. British policy incomprehensible to Anglo-Indians and causing disillusionment among last remaining friends of British administration.

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*Mr Porter to Sir P. Patrick**R/3/1/149: f 118*

TOP SECRET

HOME DEPARTMENT, NEW DELHI, 26 August 1946

My dear Patrick,

This letter accompanies the records referred to in Monteath's telegram No. 126 dated the 22nd August 1946.¹ They come in four despatch boxes B5, B21, B22 and B37 the key of which is enclosed. Within the boxes the records are in sealed packets each containing a list of the files included (a copy of each such list is attached) and the boxes are corded and sealed and are sewn into canvas which is also sealed.

2. There is, I fear, much that would have been eliminated if there had been time to scrutinise the files paper by paper. Roughly categorised the documents are:—

- (a) printed papers, of which the I.O. very well may have copies;
- (b) originals (in some cases holograph) of state papers of some historic interest (such as communications from Mr. Gandhi); and
- (c) a mass of miscellaneous papers, necessary to the completeness of the files kept in the Home Secretary's custody, but almost certainly duplicated elsewhere, save for the "notes" which form a commentary or gloss on the correspondence to which they refer.

Category (b) comprises documents widely scattered and to be detected only by research.

3. I do not think that there is anything of immediate interest. The whole batch of papers could well be left to scrutiny at a later date by some research worker! I hope that this dumping of what for us has become embarrassing matter will not cause you or your staff any embarrassment. If you thought it worth while to have them looked over, Dick Tottenham, who compiled most of the files and is now on leave preparatory to retirement, would be singularly well qualified to weed them out and present you with those which are in fact worth keeping if you should choose to ask him and he should be willing to do the job.²

Yours sincerely,

A. E. PORTER

¹ See No. 188, note 1.

² Sir P. Patrick acknowledged receipt of this letter and the Despatch Boxes on 4 September. R/3/1/149: f 120. In due course Sir R. Tottenham looked through lists of the files and made suggestions for retention or destruction. His recommendations were not, however, acted upon and all these Home Department files received from India were retained. They are now available for consultation in the India Office Records. See L/P&J/7/10448.

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*Lieutenant-General Sir A. Nye (Madras) to Field Marshal Viscount Wavell
(Extract)*

L/PEJ/5/209: f 43

SECRET

GOVERNMENT HOUSE, GUINDY, 26 August 1946

No. 2-1946

7. The news of the formation of the Interim Government has been received with great enthusiasm by the Congress Party; the Muslim Leaguers have given the impression of disappointment and bewilderment, and my impression is that while the leaders will outwardly at least support Jinnah, they have very grave doubts as to whether he has handled the situation wisely.

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Sir E. Jenkins (Punjab) to Field Marshal Viscount Wavell

Telegram, R/3/1/117: f 124

IMPORTANT

26 August 1946, 9.45 pm

SECRET

Received: 27 August, 3 am

No. 79-G. Premier wishes to be associated personally with intention of Baldev Singh not repeat not to demit office here until Premier's return to Simla about 15th September. Baldev Singh is willing to stay on provided Your Excellency and his new colleagues have no objection and his position in Executive Council is not materially prejudiced. I agree this will be much the best arrangement as selection of new Minister may cause jealousy within Panthic party and selection is much more likely to be accepted if Premier and Baldev Singh are both personally concerned with it while Baldev Singh is still a Minister.

2. Baldev Singh tells me he is most anxious to be allotted War Portfolio which it is understood Your Excellency was disposed to allot to him when he was considered for Executive Council on (gr. om. ? previous) occasion. Sikhs would be very gratified by selection of Baldev Singh as War Member and from Punjab point of view I would welcome it.¹

¹ Minutes by Mr Abell and Lord Wavell read: 'Perhaps this might be mentioned to Pt. Nehru this evening? G. E. B. Abell. 27/8.' 'He said it seemed all right. W. 27/8.'

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/117: f 133

IMMEDIATE
SECRET

NEW DELHI, 27 August 1946, 2.35 pm
Received: 27 August, 12.25 am

No. 1791-S. I returned from visit to Calcutta last night. City is quiet now but communal tension is probably worse than ever. I saw all Party leaders and impressed on them necessity for avoidance of inflammatory speeches and articles and need to form coalition Government at once. High level Commission of Enquiry will be necessary to report on circumstances of disturbances.

2. I see no hope at all of avoiding further and more serious rioting in Calcutta and elsewhere in India unless there is some settlement at Centre. Some of Muslim League are obviously desirous of coming to terms if possible but Jinnah appears to be still quite intransigent. Nazimuddin told me that an unequivocal statement by Congress that Provinces could not opt out of Groups except as laid down in Statement of May 16th might cause League to reconsider Bombay resolution or if I or HMG stated plainly our intention not to permit Congress to put any other interpretation on grouping except that meant by Mission. He said that it was your "Equivocal" reply to Simon in House of Lords¹ that finally decided Jinnah to resile from acceptance of Statement of May 16th.

3. I propose to see Gandhi and Nehru this evening if possible and to endeavour to obtain from them definite assurance that Congress mean to work Constituent Assembly in way laid down. I propose to inform them that I will not summon Constituent Assembly until this assurance is given.

4. As regards Interim Government I think it is just possible that Jinnah might come in without further argument if he were allowed to fill the five Muslim seats in present Government, thus getting over difficulty of Nationalist Muslim. I have however little hope of persuading Congress to agree to this. Patel appears to be in very truculent mood.

5. I am afraid we are in for a very great deal more violence all over India unless I can find some means of changing present attitude of Jinnah and League.

¹ See No. 135, para. 4 and Appendix I to No. 317 for quotations from Lord Pethick-Lawrence's reply.

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Note by Field Marshal Viscount Wavell

R/3/1/117: f 139

TOP SECRET

27 August 1946

NOTE OF INTERVIEW BETWEEN HIS EXCELLENCY THE VICEROY, PANDIT JAWAHARLAL NEHRU AND MR M. K. GANDHI ON 27TH AUGUST 1946,
AT 7.00 PM

I said that I had asked them to come and see me because I had just returned from Calcutta. I gave a description of what I had seen in Calcutta; and said that the only way to avoid similar trouble all over India on an even larger scale was by some lessening of communal tension and settlement between Hindu and Muslim. I stressed the importance of coalition Governments, both in Bengal and at the Centre.

2. I said that while I recognised the difficulty in reopening negotiations with the Muslim League, I felt sure that the country expected it as a result of what had happened in Calcutta. The crux of the whole matter lay in the doubt about the Congress interpretation of the Grouping in the Constituent Assembly. I said that I thought I had been quite clear in my mind that Congress had now agreed to abide by the Statement of May the 16th, and to me this had meant the acceptance of the Grouping arrangements. When I made my broadcast¹ a few nights ago, the draft of which I had shown to Nehru, I had been quite convinced that this was the intention and that it was on this understanding that I had said what I did in my broadcast. I said that I thought the only chance of a peaceful transfer of power in India was if the Congress made a categorical statement that they would accept the position that the Provinces must remain in their sections, as intended by the Mission, until after the first elections under the new Constitution. I said that I could not undertake the responsibility of calling together the Constituent Assembly until this point was settled. I handed to Gandhi and Nehru the draft of a statement² which I asked them to make, as follows:

"The Congress are prepared in the interests of communal harmony to accept the intention of the Statement of May 16th that Provinces cannot exercise any option affecting their membership of the Section or of the Groups if formed until the decision contemplated in paragraph 19 (viii) of the Statement of the 16th May is taken by the new Legislature after the new constitutional arrangements have come into operation and the first general elections have been held".

3. Gandhi began by saying that he thought it was a matter for the Interim

Government. I said that it was a matter for Congress who had challenged the interpretation of the Mission. He then went off into long legalistic arguments about the interpretation of the Mission's Statement. I said that I was a plain man and not a lawyer, and that I knew perfectly well what the Mission meant, and that the compulsory Grouping was the whole crux of the Plan.

4. The argument went on for some time, and we did not make much progress. Nehru at one time got very heated and said that this was simply "bullying" by the Muslim League. Gandhi said that if a blood-bath was necessary, it would come about in spite of non-violence. I said that I was very shocked to hear such words from him. In the end they took away the formula, but I do not think there is much hope of their accepting it.

5. The interview lasted about forty minutes.³

¹ No. 199.

² On R/3/1/117: f 138 there is a further version of this draft which reads: 'The Congress, in spite of their own objections to grouping, are prepared in the interests of communal harmony to accept the position that provinces cannot exercise any option affecting their membership of the sections or the groups until the decision envisaged in para. 19 (viii) of the Statement of the 16th May is taken by the new Legislature after the new constitutional arrangements have come into operation and the first general elections have been held.' Although there is a manuscript note on this version indicating that copies of it were handed to Pandit Nehru and Mr Gandhi, it seems likely it was in fact an early version of the draft and that the text given in Lord Wavell's note is the authentic one.

³ Lord Wavell sent Lord Pethick-Lawrence the text of this note in tel. 1796-S of 27 August. R/3/1/117: ff 140-1.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/PO/10/23

PRIVATE AND SECRET

THE VICEROY'S HOUSE, NEW DELHI,

28 August 1946

Many thanks for your two letters of the 19th August.¹ I will answer separately the second one about a breakdown policy. I have now got one worked out, which I will send you shortly.

2. I am glad I went to Calcutta. Clearly everyone there was expecting trouble beforehand, and both sides had made preparations which may or may not have been entirely defensive. Suhrawardy has agreed to a commission of enquiry, and the Governor and I will see that it is soon appointed. Everyone seems to be agreed that it should be composed of High Court Judges with a British Chairman. I doubt whether the commission will find much direct evidence against the Ministry except for a foolish speech by Suhrawardy on the *Maidan* at the

¹ Nos. 178 and 177.

"Direct Action Day" meeting on Friday, August 16th, and there will be much dispute over what was actually said. There may however be a good deal of criticism of the police who seem to have been uncertain of themselves and slow to act, mainly owing to ministerial interference in the past and to the public vituperation which has followed on any firm action. Too much latitude seems to have been allowed to rioters and looters on the first day. When the soldiers were called in they did extremely well, and I cannot imagine what would have happened if there had not been British troops available. Even the removal of corpses had to be done in the end by British troops because the Corporation was not functioning, and private citizens preferred to leave corpses in front of their houses rather than to defile themselves by removing them.

One Transport Company I saw which had done excellent work was manned by Mahsuds of the Shabi Khel tribe whose homes we are now bombing. Their officer said that when told of this they replied: "That is quite all right, we were naughty and must be punished; but what are you going to do to all these murdering Hindus?"

3. I think the Governor came out of it well. He could not have intervened at an early stage, and as soon as it became clear that a very serious situation was arising he took vigorous and sensible action, and his liaison with the soldiers was very good.

4. The Congress are clamouring for a Section 93 régime in spite of their strong objection to any use of the Governor's special powers in Congress Provinces. Probably the best solution would be a coalition ministry even if it only lasted a short time, and I strongly urged Suhrawardy (of my interview with whom I enclose a note)² to try and secure a coalition. The representatives of the European Group were strongly of the same view, and they are important because they hold the balance in the Assembly.

5. I do not think we shall get a coalition Government in Calcutta without a coalition Government at the Centre, and as I have reported by telegram I am doing my utmost to secure one. I do not know yet what has been the result of my interview³ last night with Gandhi and Nehru. Presumably they are discussing the matter with the Working Committee today. I felt sure that the first thing was to secure a complete assurance for the Muslim League on the question whether the Provinces have a right to opt out of the Sections before the constitution-making is complete, and the new elections have been held. This is of course the crux of the whole plan of May 16th; and it is the feeling that we are going to allow the Congress to upset this which is at the root of the Muslim League intransigence. If we can get this point cleared up, I think there is a chance of Jinnah coming into the Central Government even without securing his point about a nationalist Muslim.

The Calcutta tragedy and the stabbing of Shafaat Ahmed Khan⁴ have I think convinced everyone that we shall have nothing but chaos in India unless we can secure an agreement between the two parties, and that a one-party government, even though it is as representative of a large majority as the Congress Interim Government, cannot hold the country steady during the transition period.

You have seen the text of my broadcast⁵ on the announcement of the Interim Government. I enclose Press cuttings showing Jinnah's first and second reactions.⁶ The second statement shows some sign of his wanting to compromise, and I believe there are many in the Muslim League who would like to come to terms. The difficulty is the familiar one in Indian politics that the moment I make an approach to Jinnah he is bound to put up his price. However, I do not think Jinnah has ever been quite as bad in that respect as the Congress.

6. Rance has been here for a couple of days. He seems level-headed and sensible. He has discussed Burmese affairs with the various interested Departments of my Government.

7. Thank you for your third letter of the 19th August⁷ about a Chief Justice for the Calcutta High Court. I am sorry it is impossible to find a suitable man in London, and I am afraid we shall have considerable difficulty in suggesting a suitable man from India.

8. I think I should report a case which may possibly lead to trouble in the U.P. The Ministry and in particular the Home Minister, who makes no secret of his low opinion of his police, have been issuing direct orders to district officers, and the Inspector-General of Police issued a circular to his officers saying that when they received direct communications they should acknowledge them and send the reply through the Inspector-General. This caused offence to the Ministry, but an essential principle is involved and this principle is stated in the Police Regulations, which lay down that all orders from Government to the police forces are issued through the Inspector-General. You will appreciate that this order is absolutely essential if the police are to be maintained as an efficient force. No War Minister in England would dream, for instance, of issuing direct orders to a Divisional Commander, and if he did there would be immediate reactions. The difficulties of the Calcutta police are partly due to the same sort of thing. It looks as if Wylie may be able to smooth the matter over and get his Government to issue a circular indicating what the correct procedure is: the Inspector-General of Police simultaneously

² Enclosure 1. ³ See No. 205.

⁴ On the night of 24 August 1946, Sir Shafaat Ahmed Khan was stabbed in Simla seven times by two assailants.

⁵ No. 199.

⁶ Enclosures 2 and 3.

⁷ L/PO/8/76.

withdrawing the circular letter which caused offence. But I have told Wylie that if no other remedy is possible he must overrule the Ministry, should they seek to amend the Police Regulations so as to validate direct orders from the Ministry to all and sundry in the Police.

9. I am sorry to learn from paragraph 3 of your letter that the question of compensation for the Services is going so slowly. I realise the difficulties but clearly we must come to a decision soon.

Enclosure 1 to No. 206

NOTE ON INTERVIEW WITH MR. SUHRAWARDY, CALCUTTA,
25TH AUGUST 1946.

1. I began by telling Mr. Suhrawardy that a very grave responsibility rested on him. He was Chief Minister of the largest Province in India, with a population of 60 millions, in which the communal problem was more acute than anywhere else and the communities divided in almost equal proportions, Muslims and Hindus. In this Province we had lately witnessed the worst outbreak of communal rioting in Indian history, with at least 20,000 casualties.

I said that I did not propose to discuss the happenings in Calcutta at present, and certainly not to make any recriminations about the responsibility of anyone or either party. That would have to be examined by a Commission of Enquiry; I understood that he had already announced that he proposed to form such a Commission.

2. What I really wanted to impress on him was what I considered to be his duties for the immediate future. He was in charge of the whole population of the Province and not merely of the Muslims, and he must not show any communalism. I considered that he should make another immediate attempt to form a coalition Government, even if it were only temporary, possibly by adding some portfolios to his present Ministry. I hoped that he would discuss this with the Governor at a very early date.

In the second place, it was absolutely essential that the morale of the Police should be maintained by every possible means. From what I had heard, it had to some extent been sapped by recriminations against their actions in the riots in November and February last, and the lack of support they had had from the Government over the charges made against them. I considered it his duty to support the Commissioner of Police and the Police in every possible way. If he was not satisfied with the Commissioner, it might be his duty to change him, but otherwise he must give him all possible support ("S" hastened to say that he had the greatest confidence in the Commissioner).

I went on to say that any attempt to interfere with the morale and discipline

of the Army at this time would be frankly criminal; the Army was a non-communal and non-political organisation, and its exploits in the late War had done more than anything else to give India an international reputation; any attempt to sap its morale in the interests of party politics would be dangerous and criminal.

I said that, thirdly, it was his duty to avoid provocation, by speech, word and action; the troubles of India at the present time were very largely due to the violent speeches which had been made by politicians of all parties during the past year or so.

In particular, I said he must take every precaution to prevent fresh outbreaks on the Id holiday.

I ended this homily by speaking of the horrors of War in general and of Civil War in particular, and asking him what he thought would be the result if the three days rioting in Calcutta was reproduced all over India.

3. "S" took all this in a subdued way. He said that he thought that an enquiry into the disturbances should be on a high level. He suggested that the Chief Justice, Spens, might preside over a Court of three Bengal High Court Judges—Sharpe, Akram, and Das.

He said that he would support the Police in every possible way; and promised that there would be no disturbances on the Id holiday.

4. We then went on to a discussion of the general political situation. We covered much the same old ground: that the Muslims had no trust in Hindu generosity, that for Jinnah to accept a Nationalist Muslim would break up the League, etc., etc. I said that I had done my utmost to secure a fair deal for the Muslims, but that I was quite unable to support Jinnah over the question of a Nationalist Muslim, that I thought that a Nationalist Muslim in place of a Hindu should be a source of strength to Jinnah rather than otherwise, since on matters of really vital importance to the Muslims, such as the safety of their religion and interests generally, Nationalist Muslims like Azad and Zakhir Hussain would be a source of strength rather than otherwise. I urged him strongly, if he had any influence with Mr. Jinnah, to put this point of view in front of him, and to do his best to secure a coalition Government in the Province.

5. Throughout the interview, which lasted 40 minutes, "S" was polite and not at all aggressive.

*Enclosure 2 to No. 206*CUTTING FROM *THE STATESMAN*, DATED THE 26TH AUGUST 1946

STATEMENT MADE BY VICEROY MISLEADING

WAVELL-JINNAH LETTERS RELEASED

BOMBAY, AUGUST 25TH.—Following the announcement of the formation of the Interim Government and the Viceroy's broadcast Mr. Jinnah has released the correspondence that passed between him and the Viceroy between July 22nd and August 8th.

In a statement releasing the correspondence Mr. Jinnah says: "It is to be regretted that the Viceroy, in his broadcast last night, should have made a misleading statement, contrary to facts, that though five seats out of 14 were offered to the Muslim League, though assurances were given that the scheme of constitution-making would be worked in accordance with the procedure laid down, and though the new Interim Government is to operate under the existing constitution, it has not been possible to secure a coalition.

"The truth is that the Viceroy wrote to me on July 22nd making certain proposals which were vitally and substantially different from the Interim Government proposals embodied in the Statement of June 16th and the assurances given to the Muslim League, enclosing a copy of a similar letter addressed by him to Pandit Jawaharlal Nehru.

"This was on the eve of the meeting of the Council of the All-India Muslim League and the Viceroy knew full well that a grave situation had been created and that there were serious apprehensions and misgivings about the policy of His Majesty's Government and his attitude in the matter. Nevertheless there is not a single word in his letter of July 22nd with regard to our position *vis-à-vis* the Constituent Assembly in the light of the decision of the Congress, the pronouncements of the Congress leaders and the directive given by the Assam Assembly to Assam's representatives on the Constituent Assembly to have nothing to do with the "C" Group.⁸

"I replied to the Viceroy on July 31st clearly stating our position with regard to his new move, which was obviously intended to meet Congress wishes, for else what justification was there for him to depart even from the final proposals embodied in the Statement of June 16th? Will the Viceroy explain why there should be any departure from those proposals and the assurances that were given to us and for whose advantage this new move is being made by him?

Pandit Nehru's offer.

"I received a reply from him, dated August 8th, acknowledging my letter of July 31st; it is amazing that he should have stated therein that his suggestion

in his letter of July 22nd was the "same as the one the Muslim League Working Committee accepted at the end of June, namely, 6:5:3!" This is entirely incorrect as has been already pointed out by me in my letter of July 31st. He further says: "In view of the League resolution of July 29th.⁹ I have now decided to invite the Congress to make proposals for an Interim Government, and I am sure that, if they make a reasonable offer to you of a coalition, I can rely on you for a ready response."

"I had, and have, no knowledge or information as to what actually transpired between the Congress and the Viceroy; but Pandit Jawaharlal Nehru, I suppose as arranged, came to see me on August 15th. It was merely a formality and he made his offer: that the Congress were willing to give five out of 14 seats to the Muslim League and the remaining nine were to be nominated by them, including one Muslim of their choice; that he was not forming an Executive Council under the present constitution but a provisional national Government, responsible to the present Legislative Assembly. And he made it clear in his letter of August 15th,¹⁰ in reply to mine of the same date, that, while he was willing to discuss the larger question with me, he had no new suggestion to make and added, "Perhaps you may be able to make a new approach", and when I did make a suggestion, he turned it down saying that the Congress stand was the same as laid down in their Delhi resolution passed on June 26th¹¹ and that the Wardha resolution of August 10th¹² had only reaffirmed that stand, and this was repeated by him at the Press conference on August 16th before his departure for Delhi to meet the Viceroy. I informed Pandit Nehru that in these circumstances there was no chance of my Working Committee or the Council of the All-India Muslim League accepting his proposals.

"Thereafter the Viceroy, Pandit Nehru and the Congress leaders have now for nearly a week carried on discussions and negotiations behind my back and without any information being furnished to me, except the communiqué that was issued last night announcing the formation of the Interim Government and the Viceroy's broadcast. As the Viceroy has already disclosed the alleged offer without stating what reply he had received from me I am herewith releasing the correspondence:—

[*There follows the text of Nos. 63, 97, and 131.*]

Mr Jinnah adds: "As regards the rest of the broadcast, I shall deal with it as soon as possible after the full text of it is available to me."

⁸ See No. 44.

⁹ No. 86.

¹⁰ See No. 153.

¹¹ Vol. VII, Enclosure to No. 603.

¹² No. 137.

Enclosure 3 to No. 206

CUTTING FROM THE HINDUSTAN TIMES, DATED 27TH AUGUST 1946

JINNAH RESTATES PAKISTAN STAND

VICEROY ACCUSED OF BAD FAITH

BOMBAY, AUGUST 26TH.—“The Viceroy’s broadcast has struck a severe blow to the Muslim League and Muslim India, but I am sure that the Muslims of India will bear this up with fortitude and courage and learn a lesson from our failure to secure our just and honourable position in the Interim Government and the Constituent Assembly”, says Mr. Jinnah in a statement on the Viceroy’s broadcast on the formation of the Interim Government.

Mr. Jinnah adds: “The step the Viceroy has taken is most unwise and unstatesmanlike and is fraught with dangerous and serious consequences and he has only added insult to injury by nominating three Muslims, who he knows, do not command either respect or confidence of Muslim India, and two more Muslim names still remain to be announced.”

Mr. Jinnah reiterates that “the only solution of India’s problems is a division of India into Pakistan and Hindustan which would mean real freedom for the two major nations and every possible safeguard for the minorities in the respective States.”

“Bad Faith”.

“I once more repeat my question: Why has the Viceroy gone back on what was announced in the statement of the Cabinet Delegation and the Viceroy on June 16th as final, and the assurances given to the Muslim League in his letter, dated June 20th?¹³ What had happened between June 16th and July 22nd that he was pleased to change that formula vitally and substantially, and what has happened between July 22nd and August 24th that he has gone ahead and jammed in a one-party Government?

Unstatesmanlike Step.

“He says in his broadcast that he was addressing those who advised him that this step should not have been taken in this way or at this time. I was one of those unfortunate persons and I still maintain that the step that he has taken is most unwise and unstatesmanlike.

“He is still harping that we are not opposed to the main policy of His Majesty’s Government to fulfil their pledges by making India free to follow her own destiny. Of course we are not opposed to the freedom of the peoples of India and we have made it clear that the only solution of India’s problem is a division of India into Pakistan and Hindustan which would mean real freedom for the two major nations and every possible safeguard for the minorities in the respective States.

Vague Assurances.

"I am sorrier than the Viceroy is about his failure to secure a Coalition Government but my sorrow springs from a different fountain and for different reasons from those of his. I am glad that the Viceroy realises that what is needed is a Coalition Government in which both the main parties are represented and I am glad that he is also speaking on behalf of Pandit Jawaharlal Nehru and the Congress that they hold this view as strongly as he does and that their efforts will still be directed to persuade the League to join the Government; I don't know what the Viceroy means when he says, in his broadcast, of his offer that has been made and which is still open. It is so vague except that the Muslim League will have five seats. Nothing else is clearly stated.

"He has referred to many other things into which I need not go at present. As regards the Constituent Assembly I don't know what he means when he says that here again let me remind you that assurances have been given to the League that the procedure laid down in the statement of May 16th regarding the framing of provincial and group constitutions will be faithfully adhered to."

"The question is not one of procedure the question is fundamental and basic", says Mr. Jinnah. "The question is whether it can be changed in any way whatsoever. Then he proceeds to say that there can be no question of any change in the fundamental principles proposed for the Constituent Assembly in paragraph 15 of the Statement of May 16th and he echoes that the Congress are ready to agree that any dispute or interpretation may be referred to the Federal Court.

Divergent Interpretations.

"But how can we expect an agreement on the terms and fundamentals of the Statement of May 16th when one party puts one interpretation contrary to the authoritative statement of the Mission, dated May 25th, and the other party puts a different interpretation which is more in accord with the Statement of May 25th? But he complacently goes on to say that any dispute or interpretation may be referred to the Federal Court.

"To begin with, there is no provision for such a dispute being referred to the Federal Court and, secondly, on the very threshold the parties fundamentally differ in their interpretations regarding the basic terms. Are we going to commence the proceedings of the Constituent Assembly with litigation and law suits in the Federal Court? Is this the spirit in which the future constitution can be framed affecting 400 million people of this sub-continent?

"If the Viceroy's appeal is really sincere and if he is in earnest he should translate it into concrete proposals by his deed and actions"—A. P. I.

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*Mr Gandhi to Field Marshal Viscount Wavell**R/3/1/117: f 142**"VALMIKI MANDIR", READING ROAD, NEW DELHI, 28 August 1946*

Dear Friend,

I write this as a friend and after deep thought.

Several times last evening you repeated that you were a "plain man and a soldier" and that you did not know the law. We are all plain men though we may not all be soldiers and even though some of us may know the law. It is our purpose, I take it, to devise methods to prevent a repetition of the recent terrible happenings in Calcutta. The question before us is how best to do it.

Your language last evening was minatory. As representative of the King you cannot afford to be a military man only, nor to ignore the law, much less the law of your own making. You should be assisted, if necessary, by a legal mind enjoying your full confidence. You threatened not to convene the Constituent Assembly if the formula you placed before Pandit Nehru and me was not acted upon by the Congress. If such be really the case, then you should not have made the announcement you did on 12th August.¹ But having made it you should recall the action and form another ministry enjoying your full confidence. If British arms are kept here for internal peace and order your Interim Government would be reduced to a farce. The Congress cannot afford to impose its will on warring elements in India through the use of British arms. Nor can the Congress be expected to bend itself and adopt what it considers a wrong course because of the brutal exhibition recently witnessed in Bengal. Such submissions would itself lead to an encouragement and repetition of such tragedies. The vindictive spirit on either side would go deeper, biding for an opportunity to exhibit itself more fiercely and more disgracefully when occasion occurs. And all this will be chiefly due to the continued presence in India of a foreign power strong and proud of its arms.

I say this neither as a Hindu nor as a Muslim. I write only as an Indian. Insofar as I am aware, the Congress claims to know both the Hindu and Muslim mind more than you or any Britisher can do. Unless, therefore, you can wholly trust the Congress Government which you have announced, you should reconsider your decision, as I have already suggested.

You will please convey the whole of this letter to the British Cabinet.²

I am,

Yours sincerely,

M. K. GANDHI

- ¹ i.e. the communiqué announcing Lord Wavell's invitation to Pandit Nehru to make proposals for the formation of an Interim Government; see No. 140 for the text.
- ² Lord Wavell repeated to Lord Pethick-Lawrence the text of Mr Gandhi's letter in tel, 1800-S of 28 August. He told Mr Gandhi he had done this in a letter dated 28 August. R/3/1/117: ff 143-4, 146.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/117: f 145

MOST IMMEDIATE
TOP SECRET

NEW DELHI, 28 August 1946, 5.15 pm
Received: 28 August, 4.10 pm

No. 1804-S. Superintendent Series. I have repeated to you in my No. 1800-S of today Gandhi's letter.¹

2. The strong reaction by Gandhi to my suggestion that Congress should make their assurance about the Grouping categorical shows how well justified Jinnah was to doubt their previous assurances on the subject. It is to my mind convincing evidence that Congress always meant to use their position in the Interim Government to break up the Muslim League and in the Constituent Assembly to destroy the Grouping scheme which was the one effective safeguard for the Muslims.

3. Though the consequences may be serious I think it is as well that things have come to a head. Calcutta with its 4,400 dead, 16,000 injured and over 100,000 homeless showed that a one party Government at the Centre was likely to cause fierce disorders everywhere. Far from having any sobering effect it has increased communal hatred and intransigence. If Congress intentions are as Gandhi's letter suggests the result of their being in power can only be a state of virtual civil war in many parts of India while you and I are responsible to Parliament.

4. Provided we are firm over this we may still have an outside chance of getting a coalition Government and of working the Constituent Assembly.

5. I am writing to Nehru² to ask that my proposal be put to the Congress Working Committee so as to get their official reaction.

If they turn my proposal down, I presume that they may refuse to come into the Interim Government. If so I shall have to carry on with the Caretaker Government, and perhaps you may consider inviting Nehru, Jinnah and myself to London for consultation.

¹ No. 207.

² Lord Wavell's letter to this effect, which was dated 28 August 1946, is on R/3/1/117: f 147.

6. Since Gandhi's letter came I have received a letter from Nehru also written today making suggestions for the delegation to U.N.O. General Assembly which suggests that Nehru at any rate does not regard a breakdown as inevitable.

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Sir F. Wylie (United Provinces) to Field Marshal Viscount Wavell

Telegram, R/3/1/117: f 156

IMPORTANT
SECRET

28 August 1946, 6 pm
Received: 28 August, 9.15 pm

GS 57. Chaudhuri Khaliq-uz-Zaman, leader of Muslim League Party in our Legislative Assembly has sent me message to the effect if Your Excellency "will take firm stand" about grouping he thinks Jinnah will come into interim Government even swallowing Nationalist Muslims.

2. I pass this on for what it is worth.

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Sir F. Burrows (Bengal) to Field Marshal Viscount Wavell

L/P&J/8/655: f 119

CALCUTTA, 28 August 1946

Dear Lord Wavell,

I had a conversation with my H[onourable] C[hief] M[inister] on the evening of the 26th when I pressed upon him the advisability of broadening the basis of his Cabinet by the inclusion of Ministers drawn from the Congress. He gave no undertaking in this respect—he obviously has to consult Jinnah in a matter of this importance—but he did say that he desired a further adjournment of the Legislature. (Owing to the disturbances, both Chambers stand adjourned at present till the 2nd of September and he proposed to contact the leader of the Opposition, Kiran Sanker Roy, about that).

I saw him again this afternoon and asked him categorically to say whether in fact he had contacted the leader of the Opposition and he stated that he had. He said that he had informed Kiran Sanker Roy that he was somewhat desirous of broadening his Ministry, but that before he could make any firm proposals in this respect he would have to consult Jinnah. He then went on to broach

with me the question of another adjournment of the Legislature from the 2nd September. I informed him that I disagreed with such a proposal unless it was for the purpose of seriously endeavouring to form a coalition. (In point of fact, if the leader of the Opposition is agreeable to a short adjournment I could not very well oppose it).

In the event of an adjournment being agreed to, with the assent of the Opposition, Suhrawardy proposes to fly to Bombay on the 3rd or 4th September to inform Jinnah of the proposal to broaden the basis of his Cabinet. He told me that he would press the desirability of this upon Jinnah and also that he would inform him that he may feel that it is not within his power to carry on.

In the event of the Opposition's not agreeing to an adjournment, Suhrawardy will obviously have to face the Legislature on the 2nd September and I am unable at present to say whether he would or would not survive the motion of no confidence which would almost certainly be put in and which, under the rules, must be discussed within ten days of notice being given. If the Legislature meets on the 2nd September, I have suggested to Suhrawardy to take, as the first business, some small but urgent and important legislative proposals such as the Bengal Special Tribunals (Continuance) Bill which must be passed before the lapse of the Central Government's special war time powers on the 30th of September. We should thereby stand some chance of getting these necessary and in themselves not very controversial measures through before the storm breaks but, owing to the rules to which I have referred fixing ten days as the limit of delay in taking up a no confidence motion, I would not expect to get very far with the Budget in the temper in which the House is likely to be when it meets.

If an adjournment is agreed to, it will not unduly extend the session as there would be a coalition in the offing or in being and there would in that case be no difficulty in getting these urgent pieces of legislation and the Budget rushed through by the end of September. One factor which will make for speedy disposal of business towards the end of the month is the occurrence of the Puja holidays which begin on the 29th September. If there is a Coalition in prospect or in being the House may be relied upon to do its best to finish the session by the 28th.

As you will see, I have at the moment nothing very conclusive to report but I have thought it as well to keep you informed of the situation as we go along.

Yours sincerely,

F. J. BURROWS

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Pandit Nehru to Field Marshal Viscount Wavell

R/3/1/117: ff 164-5

18 HARDINGE AVENUE, NEW DELHI, 28 August 1946

Dear Lord Wavell,

I have received your letter of today's date¹ suggesting that I might consult the Working Committee about the proposal that you made to Mr. Gandhi and me yesterday evening.² As a matter of fact I placed this proposal before our Committee this afternoon. They were considerably surprised that this should be made, more especially at the present moment when we are supposed to be on the eve of the Provisional Government. There appeared to be a rather sudden change in your approach to the question.

We have repeatedly made our position clear in regard to the Constituent Assembly and the question of grouping. I would like you to refer to the resolution we passed at our Wardha meeting about two weeks ago.³ In this resolution it was stated that they accepted the scheme contained in the Cabinet Mission's Statement of May 16th in its entirety. "They interpreted it so as to resolve the inconsistencies contained in it and fill the omissions in accordance with the principles laid down in that Statement. They hold that provincial autonomy is a basic provision and each Province has the right to decide whether to form or join a group or not". But, they further added, that "questions of interpretation will be decided by the procedure laid down in the Statement itself, and the Congress will advise its representatives in the Constituent Assembly to function accordingly". This resolution, so far as I know, was not misunderstood by any one, and even in your broadcast of August 24th⁴ it was correctly interpreted.

In our public statements and in our private talks with you we made it clear that any dispute as to the interpretations of the clauses relating to grouping might be referred to the Federal Court and we would abide by its decision. I can imagine nothing fairer than this and it does away with the fear of a majority overriding a minority in a matter of interpretation to which so much importance has been attached.

In your broadcast on August 24th you refer to the Constituent Assembly and the question of grouping as follows: "It is desirable also that the work of the Constituent Assembly should begin as early as possible. I can assure the Muslim League that the procedure laid down in the Statement of May 16th regarding the framing of Provincial and Group Constitutions will be faithfully adhered to; that there can be no question of any change in the fundamental principles proposed for the Constituent Assembly in paragraph 15 of the Cabinet Mission's

statement of 16th May or of a decision on a main communal issue, without a majority of both major communities; and that the Congress are ready to agree that any dispute of interpretation may be referred to the Federal Court".

Thus what you said in your broadcast in this respect was in conformity with what we have ourselves said. What you now suggest is at variance with both and means that there should be no reference to the Federal Court of this particular matter, and that we should accept the interpretation put upon it by the Cabinet Mission and you as distinguished from the legal interpretation which may be put upon it by the Federal Court. You stressed this and the need for communal harmony presumably because of what has happened in Calcutta. This approach is new. The Calcutta occurrences had taken place before your broadcast in which you have referred to the Federal Court deciding questions of interpretation.

All of us are extremely anxious to do everything in our power to promote communal harmony, but the way you suggest seems to us to lead to a contrary result. To change our declared policy, which is generally acknowledged to be fair, because of intimidation is surely not the way to peace but is an encouragement of further intimidation and violence. We are therefore unable to accept your proposal.

I should like to add that we have been considerably perturbed at this new approach and its implications. If we are to form the Provisional Government, we must necessarily shoulder great responsibilities for the peace and progress of our people. No Government can function if it is treated as if responsibility lay elsewhere and it had to submit in vital matters to proposals with which it was in disagreement.

Your reference to the non-summoning of the Constituent Assembly, unless the course suggested by you was adopted by us, seemed to us extraordinary and this produced a feeling of resentment in my colleagues. If this is your view and is going to be acted upon by you then the whole structure built up during recent months falls to the ground. We are clearly of opinion that it is both a legal and moral obligation now to go on with the Constituent Assembly. It has already been elected and though it has not met, it exists already and must start functioning at an early date. It cannot be held up because some people do not choose to join it and disturbances take place in the country. We agree that it would be desirable for all concerned to join it and we shall make every effort to win the cooperation of others. But if they refuse to join, then the Constituent Assembly must proceed without them.⁵

Yours sincerely,

JAWAHARLAL NEHRU

¹ See No. 208, note 2.

² See No. 205.

³ No. 137.

⁴ No. 199.

⁵ Lord Wavell sent Lord Pethick-Lawrence the text of this letter in tel. 1810-S of 29 August. R/3/1/117: ff 174-6.

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*Field Marshal Viscount Wavell to Mr Attlee**R/30/1/8a: ff 46-47b*

PERSONAL AND CONFIDENTIAL THE VICEROY'S HOUSE, NEW DELHI,
28 August 1946

My dear Prime Minister,

I thank you for your letter of August the 20th.¹ But I am afraid I cannot regard it as an adequate reply to mine,² particularly to the last part. From your silence on the matter, I assume that you wish me to remain in my present post. I will certainly continue to do my best, but I feel I must put before you certain matters on which I feel strongly. I think that it is essential that I should know your mind more fully as regards India; and also that I should have a definite policy from H.M.G.

I will do my utmost to direct the new Government in the way in which it should go; but without some definite policy, I shall find it extremely difficult. Also I cannot continue to be responsible for affairs in India if some members of your Government are keeping touch with the Congress through an independent agent behind my back, as they appear to be. I enclose for your private eye the record of an intercepted telephone conversation, between Patel and Sudhir Ghosh, who went home from here by priority passage against my wishes. This sort of thing, I am sure you will agree, will make my task impossible.

I must also tell you frankly that I fear that the actions of this new Government may frequently infringe my sense of fairness and justice; and I shall therefore have either to consent to something which my conscience will not approve; or by refusing assent, to bring about a crisis with the Congress party which H.M.G. is not likely to desire. There are, for instance, such matters as the treatment by the Congress of the I.N.A. as national heroes, which must always be a possible source of trouble for me; and this is a matter on which I cannot make concessions.

If the new Government had been a Coalition of the League and Congress these difficulties might not have arisen so acutely, and I shall continue to do my very best to secure such a coalition; but in the present state of communal feeling it may be extremely difficult.

I feel that in fairness to you I must put these considerations before you; and that in fairness to me you should give them full weight.

I shall shortly be submitting to you the outline of a policy which I think is the only possible one in the present conditions; and I hope that you will give it the most earnest and urgent consideration; for it is very unsatisfactory to have to carry on with a policy which I consider at present amounts to no

more than wishful thinking. We are up against a very serious position indeed here, and matters simply cannot be allowed to drift.

I am very sorry to add to your many problems and anxieties, but I must ask you to consider the above closely.

Yours sincerely,
WAVELL

Enclosure to No. 212

Telephone 2228—Birla House

		Hello
		2228
		Yes
		Is Vallabhbhai Patel there?
		Who is speaking?
		There is a trunk call for him from London.
		Just a minute.
Sardar	..	Hello
Trunk	..	Is that Vallabhbhai Patel?
Patel	..	Speaking
Trunk	..	Speak to London.
London	..	Hello
Patel [<i>sic</i>]	..	Is that Sardarji?
Sardar	..	Speaking
London	..	Namastai—This is Sudhir Ghosh speaking.
Patel	..	Yes, Sudhir
Sudhir	..	How are things going on there?
Patel	..	You must have heard about Calcutta affairs.
Sudhir	..	Yes, I know.
Patel	..	Cripps had promised if there was any disturbance in Calcutta, he will order for section 93. What is he doing?
Sudhir	..	Cripps is not in London. I have explained the whole thing to Pethick-Lawrence. He is quite agreeable with me. But they think if they take some drastic action, there might be some serious difficulties.
Patel	..	How long you are staying there?
Sudhir	..	The main job is done here. I might now return soon. There is nothing much to do now. Do you advise me to come now?
Patel	..	You can stay on there if there is anything further to be done. We are taking charge on the 2nd of September.

¹ No. 184.

² No. 102.

- Sudhir .. They have told me to stay here for a couple of weeks more.
Do you agree?
- Patel .. Yes you can stay.
- Sudhir .. Very well.
- Patel .. You tell them what the *Statesman* is writing continuously for the removal of the League Ministry. They are writing against the League Ministry, but nothing is being done about it. Ten thousand people have been killed and about twenty thousand have been wounded. Property to the tune of lakhs rather crores of rupees have been destroyed and looted. The Ministry has been violating law and order. How can such a Ministry be allowed to function?
- Sudhir .. I will go and see Pethick-Lawrence about it today and explain position to him again. I will ring you back tomorrow.
- Patel .. We are meeting on the 27th. We have called the Working Committee Meeting. Bapu is also coming.
- Sudhir .. How long will that Meeting last?
- Patel .. For two or three days.
- Sudhir .. I will send you a letter of all I have said.
- Patel .. All right. Where is Cripps?
- Sudhir .. He is in Switzerland. He is coming back on the 3rd of September.
- Patel .. Is everything all right there?
- Sudhir .. Yes, at this end everything is all right. How are things there?
- Patel .. It is all right here.
- Sudhir .. All right Sardarji. Namastai.
- Patel .. Right.

Annex to No. 212

Drafts by Mr Attlee³

R/30/1/8a: ff 42-5

(i) My dear Viceroy,

Thank you for your letter. When I made what was in my view a helpful suggestion to you you took it as a criticism of yourself and your advisers. In my last letter I endeavoured to assure you that this was not my intention. As your suggestion that I did not desire you to retain your post was based on a mistaken hypothesis I said no more.

(ii) My dear Viceroy,

Thank you for your letter. Of course I wish you to remain in your present post. I made a suggestion to you which was intended to be helpful. You appear to have taken it as a criticism. If I took every suggestion made to me by my colleagues as implying that I was not fit for my job, I should not hold my position long.

I do not quite understand what you mean when you say that you want a definite policy. I should have thought that the policy which is being carried out now was perfectly definite and clear. I shall give most careful consideration to any outline of policy which you submit.

(iii) My dear Viceroy,

Thank you for your letter. Of course I desire you to remain in your present post. In my letter I made certain suggestions which in my view would assist you in your task, but this did not imply a criticism of you. In my own experience I have found suggestions of this kind helpful. For instance it was suggested to me that it would be useful for me to have a Press Officer. Having a strong aversion from publicity it had not occurred to me to appoint one. However realising the advice was good I adopted it with very useful results.

With regard to contacts of Ministers with Indians such as Sudhir Ghosh it would be quite unprecedented to place a ban upon them as you suggest. No Cabinet Minister has ever been restricted to drawing all his information from official sources. To my knowledge Indians of various communal and political affiliations have met and corresponded with Ministers under previous administrations. I have myself a number of Indian friends who write to me from time to time. You may be quite sure that there is nothing said to them which would in any way be contrary to the policy which you are carrying out.

I quite realise the difficulty of your position, but obviously having taken up the position that the new government is to have the greatest measure of freedom to act, you will to some extent have to acquiesce in measures which do not entirely commend themselves to you. This is an inevitable feature in an approach to responsible government.

I do not understand what you mean when you say there is no definite policy. I should have thought our policy definite enough.

¹ These drafts are undated and it is not certain when or in what order they were composed. They are in Mr Attlee's own hand and presumably they were written shortly after receipt of No. 212 in early September. None of the drafts was ever sent. On 30 October (No. 531) Lord Wavell enquired whether Mr Attlee had received his letter of 28 August, and Mr Attlee eventually replied in a letter of 6 November which will be printed in Vol. IX.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/PEJ/10/75: ff 394-5

MOST IMMEDIATE

INDIA OFFICE, 28 August 1946, 9 pm

TOP SECRET

15817. Your telegrams 1791-S¹ and 1796-S.² We have also just received your telegrams 1800-S³ and 1804-S.⁴

2. I have discussed position with Prime Minister. We fully appreciate gravity of the danger of serious and widespread communal trouble unless Congress come to terms with the League and we agree with you that determined effort must be made to get them to do so. At the same time we must ask you not to take any steps which are likely to result in a breach with the Congress without prior consultation with us, as the consequences of such a breach would also be very grave. If we had had time to reply to your 1796-S before your interview with Gandhi and Nehru we should have asked you not to say that you would not convene the Constituent Assembly until the point about grouping was settled, but only that you would have to postpone it further.

3. Moreover, we do not share your view expressed in your 1804-S that it is as well things have come to a head or that Gandhi's letter⁵ proves "that Congress always meant to use their position in the Interim Government to break up Muslim League and in the Constituent Assembly to destroy the grouping scheme". We feel that it is desirable to play for time in order that the effect of responsibility may make its full impression on the members of your new Government and for this reason, if for no other, we should be opposed to retention of Caretaker Government. We should therefore like you to avoid pressing the grouping question to a final issue before the Interim Government takes over and has had a period of office. For this purpose some postponement of Constituent Assembly may be necessary. Gandhi's letter is, of course, his personal reaction to the interview and reply of Congress will no doubt contain some counter-suggestions. When it is received we feel that we must have time to consider the position before you take any further step and we should be glad to have your views and to contribute ours as to how the situation should then be handled. We still hope that you may be able to find a *modus vivendi* in India but if not we shall be quite open to consider the proposal that Nehru and Jinnah should come to this country with you for discussions.

4. It occurs to me that if the Congress reject your formula but there still seems to be some possibility of their being willing to meet Jinnah the following

proposition may be worth consideration. I shall be glad if you will tell me your reactions to this suggestion when you send me the Congress reply on the main issue. Congress might be pressed to approach Jinnah with a proposition that an agreement should be reached between the Congress and the Muslim League as to the procedure to be adopted in the Constituent Assembly in so far as it is not clearly laid down already in the Cabinet Mission's Statement. In this agreement Congress would I suggest accept the proposition that the Sections would meet and decide whether there should be Groups and, if so, the nature of the Group constitution. It would be agreed that these decisions and decisions as to the procedure of the Section Constituent Assembly would all be taken by majority vote of the Section meetings. On the other hand it would be agreed that a majority of the representatives of the individual Province concerned would be required for all decisions relating to the constitution of a Province except in so far as those provisions necessarily follow from the character of the Group constitution. This would give some concession to the Congress in Assam and North-West Frontier where there is natural dislike of the idea that Provincial constitutions should be determined by voters from another Province. Except in so far as it is required by the character of the Group constitution it does not seem necessary that Provincial constitutions should be identical.

¹ No. 204.

· See No. 205, note 3.

³ See No. 207, note 2.⁴ No. 208.⁵ No. 207.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

L/PO/10/23

PRIVATE AND SECRET

INDIA OFFICE, 28 August 1946

Received: 2 September

Since I last wrote to you I have had two letters from you, dated the 13th and 21st August.¹ I was glad that you had achieved the formation of an Interim Government which in all the circumstances you considered fairly satisfactory. We all realise its imperfections and I am quite sure we shall feel the effects of them, but we are, I think, justified in looking also on the brighter side of the picture. Here at last we have a wholly Indian Executive Council the main figures in which will command the respect not only of a very large part of India but of the world; it is a great thing that Congress should have put their best men into the Cabinet and not, as seemed probable at one time, have kept

¹ Nos. 146 and 187.

them outside. Admittedly, apart from the main figures, the names do not inspire any great confidence and in particular one would have wished to avoid the inclusion of Shafaat (who I suppose is not now likely to take his seat for some little time) and Asaf Ali. However, this is clearly not an issue on which one could break with Nehru and it was something that you managed to avoid the inclusion of Fazlul Huq, whose inclusion I imagined would have aroused the bitterest antagonism in all influential Muslim quarters.

2. I am sorry that you were unable to see Jinnah yourself in the course of the negotiations; but in the light of Nehru's hostility to any such move and of Jinnah's own uncompromising statements, I quite agree with you that such a step could certainly not have done any real good and might merely have courted a rebuff. That of course is our main problem; how are we ever to get Jinnah into the fold.

3. Jinnah's statement giving his considered reaction to your broadcast appeared in *The Times* yesterday² and is certainly very far from encouraging. It has, however, the negative merit that it does not seem to imply any intention of starting a Jihad or of taking drastic action at the present time. I find it very difficult to judge what, if anything, would bring Jinnah into the Interim Government and the Constituent Assembly and I should be very glad to know your views on this. I do not gather that Nehru in his conversation with Jinnah, reported in your telegram No. 1713-S,³ offered any assurances which really meet Jinnah's anxieties. On the question of grouping he is reported to have said that Congress would accept Groups "if the Provinces wanted them". This, of course, begs the question—all important to Jinnah—whether the Provinces will take their decision before coming to the Section meetings of the Constituent Assembly or only by option out after the new Provincial constitution prescribed by the Section of the Constituent Assembly is in operation. I take it that this is the first and most important point on which Jinnah would require to be given firm assurance, and it may be that Jinnah intends to wait until he sees what the Constitution-making Body in fact does in operation. On the other issue, namely, Jinnah's refusal to agree to the inclusion of a Congress Muslim in the Congress quota of seats in the Interim Government, I confess I still think that Jinnah's attitude is unreasonable. I should like to know, however, whether you judge if that were the only issue he would stick to his guns to the last.

4. As regards the first of these issues I wonder whether you might be able to induce the Congress, after they have taken office, to take some step at the outset of the Constituent Assembly's proceedings which would give Jinnah the assurance which he requires. It seems to me that the Congress difficulty about accepting outright the Statement of the 16th May arises partly from

the reluctance of Assam and the North-West Frontier, who fear that their Provincial constitutions will be determined by a majority of Muslim votes from Bengal and the Punjab respectively and that, as a result, their new Provincial constitutions may be such as to preclude them from opting out even though the majority of the population would wish to do so. I put forward in paragraph 10 of my letter of the 13th August⁴ a suggestion which might partly meet this fear. Nehru's letter to Bardoloi which Menon sent to Turnbull on 1st August⁵ shows that this idea is already in Nehru's mind, but that he also contemplates that a majority of the representatives of the individual Provinces concerned should be required for the decision to form a Group. This would of course overthrow the provision in our proposal which is essential to the Muslims and in these circumstances it may be dangerous to suggest what I had in mind when I wrote to you on the 13th August. While this letter is being prepared and written I have received your telegrams⁶ and I am replying by telegram⁷ to them. In view of that I will not enter further into the matters in question here except to express the hope that whatever is done will not have the result of cancelling the foundation of the Interim Government and of bringing us into collision at one and the same time with both the major parties in India.

5. I was certainly appalled beyond measure by the accounts we have received here of the Calcutta rioting and paragraph 2 of your letter of the 21st August gives a terrifying account of the savagery shown. One statement in that paragraph, namely, that appreciably more Muslims are thought to have been killed than Hindus, is a new and to me somewhat surprising one. It shows that wherever the blame lay for the starting of the trouble, once communal passions were aflame there was nothing to choose between the two communities. Meanwhile, tomorrow I understand is the date of the Id and we shall wait with anxiety to see how it passes off.

6. In paragraph 8 of your letter of the 21st August you refer to the estimates of the European population in India. I can quite understand, and I am sure that on reconsideration the Prime Minister with his intimate knowledge of Indian conditions will agree, that it is really impossible, without taking a detailed census which would naturally cause doubt and despondency, to arrive at an accurate estimate of the numbers to be evacuated should a major catastrophe occur.

7. I received yesterday Mudaliar's reply⁸ to the Foreign Secretary's message about the Economic and Social Council session and at once passed it on. Bevin will, I fear, be most disappointed but I do not see what more we could have

² The Times report was a summary of Enclosure 3 to No. 206. ³ No. 164.

⁴ No. 147. ⁵ No. 106. ⁶ Nos. 204 and 208. ⁷ No. 213.

⁸ See No. 168, note 1.

done about it. I note what you say in your letter about Nehru's attitude towards Mudaliar, which seems to me unfortunate since they must surely be two of the ablest men in India.

8. I am glad that we have been able at last to get out an announcement about the United Kingdom High Commissioner in India⁹ and Symon will, I understand, be reaching Delhi some time in the middle of next month. It is extremely satisfactory that you should have such a high opinion of Shone and I hope that it will be shared by your new Government.

9. Press reactions here to the recent developments in India have been conditioned to some extent by the amount of news that has been pouring in from all parts of the world, but as a whole the formation of the new Government has been very well received even in such right wing organs as the *Daily Telegraph*, and I think there is a general feeling here that, whatever criticisms may be made on points of detail, the general drift of the events of the last few weeks has for long been inevitable. Agatha Harrison has suggested to me that it would be a good thing, if it could be arranged, for Nehru to do a short broadcast to the people in this country, say, after the 9 o'clock news one evening. I am not sure that this would be entirely appropriate or helpful at the present juncture but I should be very glad to have your views on the subject.

10. I am afraid that I am not in a position to minimise the bad reports you have had about Runganadhan's work at Paris and as High Commissioner. I have not been in close touch with the Delegation's work in Paris but there certainly have been rumours he has not cut a very imposing figure there or shown himself a very assiduous delegate or leader of a delegation and, as to his work as High Commissioner, I am afraid there is probably a great deal in what you say. His Office, as you know, is not a very strong one and it probably needs a really strong man at the top to pull it together. I did not know what the attitude of your new Government would be to Vellodi but I hear good reports of him and if the new incumbent and Vellodi could work together considerable improvement might perhaps be made.

PS.—In your telegram No. 1791-S,¹⁰ you say that you have been informed that it was my "equivocal" reply to Lord Simon in the Lords debate¹¹ that finally settled Jinnah to come out of the Constituent Assembly. If this is really the case it is due to a misunderstanding of what I said. It is very difficult in an extempore rejoinder to use words which are not open to misconstruction. I was defending myself against an expressed or implied accusation that whereas the Mission did not go out to frame a constitution for India but to enable Indians to do so, we had in fact laid down the basis for a constitution ourselves. My answer was therefore that we had set out a basis with the object of

getting all parties into a constitution-making body. Jinnah apparently interpreted my answer to mean that it was a mere device to trap him into acceptance.

It was not possible in a short answer to explain further that the Statement of May 16th expressly provided for variations from our basic proposals provided both the major communities agreed to them, but I did refer to the passage in my opening speech which said that the parties having agreed to the Statement of May 16th could not go outside the terms of what had been agreed.

⁹ See No. 181. ¹⁰ No. 205.

¹¹ See No. 135, para. 4 and Appendix I to No. 317 for quotations from Lord Pethick-Lawrence's reply.

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Field Marshal Viscount Wavell to Pandit Nehru

R/3/1/117: f 178

29 August 1946

Dear Pandit Nehru,

Thank you for your letter of yesterday.¹ In my view the problem is not a legal one, but a practical one. Even if the Congress view in regard to the sections and grouping was referred to the Federal Court and accepted by it, the Congress would gain nothing. The Muslim League would inevitably refuse to take part, and the process of constitution-making would be held up, while communal stresses in the country would get worse and worse. I am sure that it would be unwise to call the Constituent Assembly till there is a firm agreed view on the grouping question.

We must discuss this further in due course. Meanwhile I shall be glad to see you about the distribution of portfolios in the Interim Government as soon as you are ready.

Yours sincerely,
WAVELL

¹ No. 211.

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*Pandit Nehru to Field Marshal Viscount Wavell**R/3/1/117: ff 179-80*

18 HARDINGE AVENUE, NEW DELHI, 29 August 1946

Dear Lord Wavell,

Thank you for your letter of today.¹ I agree with you that the problem is not merely a legal one but a practical one. We have considered it in all its practical aspects. These aspects include all manner of considerations other than our own views on the subject. For instance it is obvious that any change made at the present stage would seriously affect the Sikh position. It would be very unfair of us to go back on the assurances we have given to them on this matter. As it is, you know that they are not at all satisfied with things as they are. If a further change to their disadvantage is made, it would produce great resentment amongst them as well as amongst others. The Congress has tried its best to keep in view the interests of the various minorities in the country. If the Congress acted up to your present suggestion many minorities would feel that we were ready to betray them and their interests because of pressure from some source. That would be an unfortunate position for all of us. Any change also would produce a feeling of uncertainty and lack of finality. It seems to us essential that there should be this finality in the picture and if any change has to be made it should be through a recognised process, such as the one referred to by us, and not casually and over the heads of many people concerned.

I have referred above to various consequences that might follow from an attempt at change. I am not again going into the merits of the question though these are, of course, of importance. I would also remind you that the matter has been considered in all its aspects by the All India Congress Committee which has issued its directions to us in the resolution it has passed. As a subordinate body we cannot go against the spirit and letter of the resolution.

If the point at issue was referred to the Federal Court, I do not know what its decision would be. For our part we have agreed to abide by it even if it goes against us. It is premature to say what the Muslim League would do then. That would depend not only on the decision itself but on many other factors.

As regards the Constituent Assembly, I feel sure that an indefinite postponement of it would not only be wrong in principle but would have harmful practical results even from the point of view of our gaining cooperation of the Muslim League which we desire. As I said in my letter of yesterday,² the initial processes relating to the Constituent Assembly having been started, it would be a grave step to impede them in any way. That might well lead to unfortunate consequences.

We have asked our colleagues, who are going to be members of the Provisional Government, to reach Delhi on the 31st of this month to discuss with us the distribution of portfolios. I suggest that I might meet you after that, preferably on the 1st afternoon. Tomorrow the Congress Working Committee will be meeting both in the morning and in the afternoon.

I understand that Mr. Rajagopalachari is unable to come here for some time because of ill-health. Sir Shafaat Ahmad Khan has been, as you know, badly injured by murderous attacks on him. I am glad to say that he is progressing well, but I am not sure when he will be able to come to Delhi. Sardar Baldev Singh is rather tied up with his Punjab Ministry work and wants to keep away for a few days in September till the Punjab Premier returns. Dr. John Matthai has also intimated to me that he would like to take charge in the second week of September or thereabout owing to important work to which he has long been committed. I trust all this will not matter and some arrangements could be made for the intervening period which is not likely to exceed a week or so.

Yours sincerely,

JAWAHARLAL NEHRU

¹ No. 215.

² No. 211.

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Field Marshal Viscount Wavell to Sir F. Burrows (Bengal)

Telegram, Wavell Papers. Official Correspondence:

India, January 1946-March 1947, p. 142

IMPORTANT
SECRET

28 August 1946

No. 1808-S. Commission of Enquiry into Calcutta riots will have to be appointed by Bengal Government as war-time powers of Government of India under which Woodhead Commission¹ was appointed expire on 30th September. The matter is however one which attracts your special responsibility, and before a decision is reached I should be grateful if you would let me know what the proposals of your Ministry are.

2. I shall see Spens today and will ask him whether, if the proposal were made, he could agree to be Chairman. This enquiry would be of course without any commitment.²

3. I should like to see in advance also the proposed terms of reference of the Commission.

¹ The Famine Inquiry Commission of 1944.

² A message from Lord Wavell to Sir P. Spens inviting him to preside over the Commission of Enquiry is in Wavell Papers, Official Correspondence: India, Jan. 1946-March 1947, p. 143.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/117: f 173

MOST IMMEDIATE
SECRET

NEW DELHI, 29 August 1946, 2.30 pm
Received: 29 August, 12.20 pm

No. 1809-S. Your 15817 of 28th August.¹ Immediately following telegram gives text of Nehru's letter of 28th August.² I am replying³ that the question involved is not a legal but a practical one and that even if the Federal Court decided on a vital point regarding grouping that the Congress view was correct, no advantage would be gained to the Congress. The League would undoubtedly walk out of the Constituent Assembly and the whole scheme would break down. We must therefore discuss the matter further as soon as possible. Meanwhile I should be glad to decide portfolios with him as soon as he is ready.

2. Owing to sessions of Provincial Legislatures in September, it will be difficult in any case to hold Constituent Assembly next month.

3. Thank you for the suggestion in para. 4 of your telegram which I will examine.

4. I believe that if H.M.G. will stand quite firm on the matter of Grouping, i.e. that the intentions of the Mission must prevail, we may still get in Muslim League. The compulsory grouping was the most essential part of the scheme and we must insist on its being observed.

¹ No. 213. ² No. 211. ³ No. 215.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/PEJ/10/75: ff 375-7

IMMEDIATE

INDIA OFFICE, 29 August 1946, 10.25 pm
Received: 30 August, 8.35 am

No. 15892. My telegram 28th Aug. 15817¹ and para. 3 of your 1809-S.²

I set out below a fuller text of the kind of agreement which I suggest we might try to persuade Congress to conclude with the League. It occurs to me that if you can secure Rajagopalachari's interest in the matter after he has joined your Government he may prove helpful.

Text begins: Though it is recognised by the parties to this agreement that it is in the Constituent Assembly itself that its procedure must be formally determined in so far as it is not laid down in the Statement of the Cabinet Mission the following agreement has been reached between the President of the Congress and the President of the Muslim League acting with the authority of those bodies, with the object of clarifying the situation and of enabling the work of the Constituent Assembly to proceed with the co-operation of both parties. The parties to this agreement undertake to use their full influence and authority with their own supporters in the Constituent Assembly to ensure that the procedure adopted is in accordance with the provisions of this agreement which follow:—

(A) It is agreed that after the preliminary meeting of the Constituent Assembly for the purposes mentioned in paragraph 19 (iv) of the Cabinet Mission's Statement of 16th May, 1946, the Provincial representatives shall meet in Sections as laid down in the last sentence of that paragraph of that Statement.

(B) It is also agreed that the procedure of the Sections shall be determined by the representatives in each Section and not by the Constituent Assembly as a whole.

(C) It is in particular agreed that:—

(i) The Section should decide by majority vote—

(a) whether it is desired to form a Group and, if so, for what subjects and with what powers,

(b) the provisions of the Group constitution if it is decided to form one.

(ii) That the Provincial constitutions need not be identical or uniform in the Provinces within the Section provided that each of them conforms to the requirements of any Group constitution decided upon by the Section Constituent Assembly as a whole and do not trench on the sphere of authority of the Group. In so far as Provincial constitutions must so conform it is agreed that they should be determined by majority vote of the Section but that decisions in regard to other provisions in Provincial constitutions should, in order to be passed, require a majority of the votes of the representatives of the Province concerned.

(D) Subject to the above procedure being followed it is agreed that Provincial representatives who are members of the Congress and of the Muslim League will attend the Sections of the Constituent Assembly as laid down in paragraph 19 of the Statement of 16th May and will accept the Group and Provincial constitution so determined subject, however, to the right of any

Province subsequently to opt out of any Group in which it has been placed in accordance with the provisions and by the procedure laid down in paragraph 19 (viii) of the Cabinet Delegation's Statement of the 16th May, 1946. *Ends.*

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Sir F. Wylie (United Provinces) to Field Marshal Viscount Wavell

R/3/1/135: ff 114-17

SECRET

GOVERNOR'S CAMP, UNITED PROVINCES,

No. U.P.-42

29 August 1946

Dear Lord Wavell,

You will be expecting some kind of appreciation of the situation in this Province following upon your request to the Congress President to make suggestions for the setting up of an interim Government. I would have written to you sooner about this only that the situation itself is exceedingly difficult to appreciate. I have done my best to keep in touch with opinion through experienced officers of the administration, through C.I.D. officers, through the C.I.O. and so on, but I have so far been quite unable to form any clear picture of the intentions of the Muslim League. As it is so difficult to ascertain their intentions, the only conclusion I can come to is that they have formed none and that they are just waiting for something to happen, a lead from Jinnah, possibly another move by Your Excellency or what not.

2. As you must have gathered—I did not send you any special report about it as I try to trouble you as little as possible with correspondence these days—the 16th of August passed off peacefully here. That is not to say however that the celebrations—or whatever is the right name for “direct action” demonstrations—were not successful from the point of view of their organisers. Jinnah's call for peaceful meetings was answered everywhere by the overwhelming majority of Muslims. The speeches made were in many cases intemperate and they were directed indiscriminately against both the Congress and the British. In most towns of the Province all Muslim shops were shut and where this was not the case, the vast majority of Muslim shopkeepers closed their doors. No specific line of action was inculcated during the meetings and the spokesmen for the most part confined themselves to urging upon their audiences to prepare themselves for a struggle.

3. The most ominous feature of the demonstrations was the noticeable tendency to give the whole movement a religious flavour. Many of the meetings took place in and around mosques just after the usual Friday prayers. I am told too that members of the Muslim League party are making vigorous

efforts to obtain the support of Maulvis and Imams everywhere in the Province. You may have noticed that *Dawn* has recently started quoting extracts from the Quran every day on its leader page. When it started this practice, the editor explained that the intention was to guide the Muslims in their struggle by providing them with relevant extracts from the Holy Quran. There has been some shouting of slogans about "Jehad" in various towns here, but a declaration of "Jehad" by "fatwa" is not I should think at any time likely. The formal declaration of "Jehad" is as you know hedged round by certain essential conditions which are not present in the existing Indian situation. Still Muslim religious leaders can stir up plenty of fanaticism without ever mentioning the word "Jehad". I was in the middle of the hijrat movement¹ of 1919-20 in the Peshawar district and since then have never lost my very real respect for the power of the Muhammadan priest, especially when dealing with an ignorant and unsophisticated people.

4. In many of our principal towns the effect of the demonstrations of the 16th of August—and also of course of the happenings in Calcutta—has been an increase of communal tension which was already almost at breaking point. In Lucknow or Cawnpore or Barcilly at the present moment, any slightest incident could send the whole thing up. We have had only one bad outbreak however so far—at Allahabad. There the District Magistrate handled the situation with quite extraordinary skill, with the result that only a very few people were killed. Allahabad has been in a state of acute tension for a long time past and our people there have become very expert in handling riots. I have asked Pant to send them a message of thanks on behalf of the Provincial Government, but whether he will agree to do so or not, I do not yet know. To-day is the Id and so far as I know, nothing untoward has happened anywhere yet. I have a feeling—I hope I may not be wrong—that nothing will happen to-day. The 2nd of September is I think more likely to provide us with incidents.

5. As I have already said, the intentions of the Muslim League are still unknown. I doubt in fact if they have taken any kind of clear shape even in the minds of the Muslim League leaders. Our own local leaders, though they do not of course say so, are I think dismayed at the turn events have taken. They do not want a struggle of any kind, for they see no gain in it either for themselves or for their community. They are also, as I have told you before, mostly people of some position in society and confusion and chaos have no attractions for them. If the situation—*omen absit*—should get out of hand, the movement will I expect very soon leave them behind.

¹ In the hijrat movement thousands of Muslim peasants were encouraged to sell their land and emigrate to Muslim countries, particularly Afghanistan. As no arrangements had been made to receive them they finally drifted back to India.

6. My Ministry have been very firm about the whole problem, though they show a steady determination to keep me out of it altogether. Our letters to District Magistrates which have been mentioned in the Press were issued without their being shown to me. I expect in order to show me that, though the Congress Press might criticise Burrows for not handling the situation properly in Calcutta, I need harbour no ambitions about being allowed to help with the problem here. Fortunately they have not so far put out anything objectionable and indeed, except for some tendentious drafting in one letter—which I would have corrected if I had been allowed to see it—they must be considered so far to have done very well indeed.

Yours sincerely,
F. V. WYLIE

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*Mr G. D. Birla to Sir S. Cripps*¹

L/P&J/10/75: ff 221-2

BIRLA HOUSE, ALBUQUERQUE ROAD, NEW DELHI,
29 August 1946

My dear Sir Stafford,

As you will see from this letter, I have come to Delhi. Sardar Patel has been here for ten days. I would have joined him much earlier but for the fact that we had this terrible riot in Calcutta about which I have already written to you.²

The day I reached here the names of the new Government were announced³ and also we had the broadcast⁴ of the Viceroy. I had from Sardar the full story of the developments until the announcement of the new Government came. Number of hitches, it appears, arose from time to time and every time Sardar had to intervene to save the situation. Gandhiji helped him fully and at last we have reached to this important stage of our onward march. A large number of cables from important persons from all parts of the world are pouring in congratulating India.

I muave [? must or have to], however, confess that Viceroy's broadcast was rather disappointing. When I heard it, I felt that this would, if anything, make rapprochement between the Congress and the Muslim League more difficult. If a settlement between the two political parties is to be achieved, the only way is to leave it to the Congress as the authorised Government to handle the situation. They are themselves most anxious to secure the co-operation of the League and I have no doubt that they will make the most sincere effort. But as long as Jinnah feels he can get his veto through the Viceroy, he will not drop

his intransigence. There were signs of a feeling among the followers of the League that Jinnah was leading them to the wilderness. Jinnah himself perhaps had begun to realise that this barren policy would help none. But if Viceroy every time assumes the role of a mediator, he will make the task of all still more difficult. Perhaps already an impression is created among the Muslims that the Calcutta riot has unnerved the Viceroy. If so, it is most unfortunate.

But what I heard further, however, is still more amazing. The Viceroy went to Calcutta and we had all expected that after the strong articles of the *Statesman* and knowing full well the way in which the riot was incited by the League leaders, the violent speeches delivered by Nazimuddin, Suhrawardy and others in Calcutta as well as by the League leaders in Sind, the Viceroy would take a strong view and will make up his mind to fully support his new Government. Curiously, however, he suggested a line of action to the Congress⁵ which, to say the least, was most unstatesmanlike and fraught with the greatest danger. And more than this what amazed Gandhiji and Jawaharlal was the Viceroy's remark that he may have to drop altogether the calling of the Constituent Assembly! One can hardly believe that the Viceroy representing His Majesty's Government could make any such remark. The reply of Gandhiji,⁶ I understand, has already been cabled out to H.M.G. and you must have already seen it. But one thing is quite clear that unless the Viceroy trusts his new Government and backs it up and also reposes full confidence in their wisdom, capacity and spirit of accommodation, he will be only complicating the task ahead. A settlement with Jinnah will definitely be prolonged. The riots will be encouraged.

The announcement of the formation of the Interim Government has created tremendous impression not only on non-Muslims but also on Muslims. I am sure that within a few months it would be possible to have a reasonable settlement with the League if only the Viceroy will allow the Congress to tackle the situation. But the method proposed to be adopted by the Viceroy will lose the League and the Congress both. The Viceroy must either trust his Government and give them the chance and his support or recall them. This wavering policy will be most disastrous for India.

I am not quite sure how far the Service will like the new Government. Will they play the game? That is for H.M.G. and the Viceroy to look into. I, however, think it my duty to repeat what I said to you here in person. In such critical times it is very essential that the biggest representative of the Crown here should be well advised and he should trust and support his team and not try to create new complications for them. I fear so far he has not been well advised.

Given trust and support, the problem is bound to be solved sooner than

¹ Sir Stafford Cripps sent a copy of this letter and his reply to the India Office.

² No. 189.

³ See No. 196.

⁴ No. 199.

⁵ See No. 205.

⁶ No. 207.

later. I do not minimise the difficulties. But I know there is no cause for the least pessimism. Those who talk of civil war in India don't know the country or its problems.

I hope you are well.
With kindest regards.⁷

Yours sincerely,
G. D. BIRLA

⁷ Sir S. Cripps acknowledged this letter and No. 189 on 11 September. He said he was glad Mr Birla had not lost his optimism despite the happenings of the previous six weeks and that he hoped 'a solution will come and that Congress will be able to persuade the Muslims to co-operate.' L/P&J/10/75: f 220.

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Mr Abell to Sir P. Patrick

Telegram, R/3/1/149: f 21

IMPORTANT

NEW DELHI, 29 August 1946, 5.30 pm

SECRET

No. 1812-S. Patrick from Abell. Your telegram 15494 of 23rd August.¹ Review of records in departments which are affected has been going on for some time. Some boxes of Home Department records have been sent to the India Office,² and all other necessary action has been taken.³

2. E.A.D. are examining all records back to 1919 but do not anticipate that there will be anything to be sent to India Office. All doubtful records are being destroyed.

3. War Department have had this matter in hand for some weeks past, and state that they have not come across any files sufficiently important to send to India Office.

4. Review of Viceroy's own records is complete; Political Department have not yet gone through their records from this point of view.

¹ In this telegram Sir P. Patrick explained that an inter-departmental committee had made a recommendation 'to the effect that an examination should be made as matter of urgency of existing records in India with a view to determining security of those records of external importance (viz., as opposed to India's own indigenous records) and transferring to London such records as would be of value.' Sir P. Patrick asked whether the authorities in India agreed that such a review should be undertaken. R/3/1/149: f 7.

² See No. 201.

³ The D.J.B. had for upwards of a year been weeding his papers, and other Home Department records which it was not thought desirable to maintain had been or would be destroyed. Porter to Abell, 26 August 1946. R/3/1/149: f 17.

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Sir F. Burrows (Bengal) to Field Marshal Viscount Wavell

Telegram, Wavell Papers. Official Correspondence:
India, January 1946-March 1947, pp. 142-3

IMPORTANT
SECRET

30 August 1946

No. 222. Your telegram of August 29th No. 1808-S.¹ Commission of Enquiry. Chief Minister has discussed with me and given me his tentative views but is content, he says, to leave matter to me. He and I are both most anxious that Chief Justice of India should conduct enquiry if this is at all possible. It is however likely to produce voluminous evidence for a single Judge to handle and we have therefore considered offering him some assistance. This might take the form either of a single European Judge of Calcutta High Court or of two Judges one Hindu and one Mohamedan.

After careful consideration I am of opinion, while no one could cavil at Chief Justice of India sitting alone to conduct enquiry, association with him of another European Judge would attract criticism. In order therefore to command maximum confidence and at risk of prolonging sittings somewhat, I favour having a Hindu and a Mohamedan Judge from High Courts outside Bengal. I consider any advantage of local knowledge that Judges of Calcutta High Court might claim would be more than counterbalanced by background of personal experience and experience of friends and colleagues and study of local press during disturbances and that we should have a tribunal possessed of Indian experience (for which reason I would exclude a Judge from U.K.) but completely unconnected with Bengal. Tentative terms of reference would be "to enquire into causes, origin, nature and course of the disturbances in the City of Calcutta between 16th and 21st August and into measures to be taken to deal with them and to submit to the Government of Bengal a report of their findings with their recommendations".

Exact wording and also such other questions as date of commencement of sittings, whether evidence should be recorded *in camera* and whether counsel will be allowed to appear can be settled in consultation with Chairman when appointed. We should also have to rely on you and Chief Justice of India for advice regarding selection of Chief Justice's Colleagues on Commission.

I should add with reference to paragraph No. 1 of your telegram that we should in any case wish to set up the Commission ourselves. My Chief Minister is publicly committed to *doing so* in his broadcast of August 23rd.²

¹ No. 217.

² The Calcutta Riots Enquiry Commission was established on 11 September 1946 by Resolution 4309P

of the Govt. of Bengal, Home Dept. Its terms of reference were to enquire into 'the causes and the course of the disturbances in Calcutta between Friday, 16th and Tuesday, 20th of August of 1946 and into the measures taken to deal with them and to submit to the Government of Bengal a report of their findings.' The Commission was to be presided over by Sir P. Spens. It was later announced that the other members of the Commission were to be Sir Saiyid Fazl-Ali, Chief Justice of the Patna High Court, and Mr B. Somayya, late Puisne Judge of the Madras High Court.

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Cabinet

Chiefs of Staff Committee. C.O.S. (46) 133rd Meeting, Minute 2

L/WS/1/1044: ff 7-9

30 August 1946

STRATEGIC IMPORTANCE OF INDIA

(Previous Reference: C.O.S. (46) 97th Mtg., Min. 19)¹

GENERAL ISMAÏL recalled that the Joint Planning Staff latterly had produced a paper² emphasising the strategic importance of India to British Imperial strategy, and to the continuation of India's co-operation with the Commonwealth in defence. He also recalled that when political negotiations were opened for the formation of an Indian National Government, the Indians had been informed that it was within their choice as to whether or not they would stay in the Commonwealth.

In view of this statement, and that the report on the strategic importance of India had not been passed to the Prime Minister, he thought neither the latter nor the Cabinet were fully aware of what were the likely repercussions from the military point of view on our Imperial strategy if India chose to stand out from the Commonwealth.

The Joint Planning Staff are at present engaged in preparing a further paper, which would set out the military requirements to be included in any Treaty which may be concluded between Great Britain and India. Nevertheless, since the Indians would probably be just as jealous of their new found sovereignty as the Egyptians have been, the chances of obtaining these minimum requirements were possibly remote. He suggested therefore, that the Prime Minister should be shown extracts from the Joint Planning Staff report, and be informed from the military point of view that it was as nearly vital as anything could be to ensure that India remained within the Commonwealth.

SIR JOHN CUNNINGHAM agreed that the position should be put to the Prime Minister, and said that in the intervening period between now and the

formation of the Indian Constitutional Government, every opportunity should be taken to emphasise to the Indians first the advantages of remaining within the Commonwealth, and secondly, to show that a military alliance with the Commonwealth was not just a question of granting certain rights in Indian territory, but also held advantages for the purposes of her own security and position.

He therefore suggested that in any minute to the Prime Minister, this question of actively educating the Indians to a realisation of why these military rights were asked for, should be pursued.

GENERAL ISMAY agreed, and said that he would include a reference asking what action could be taken to influence the course of events and that possibly the Prime Minister might inform the Cabinet and the Viceroy of the position as seen by the Chiefs of Staff.

There was general agreement that a minute on these lines should be submitted to the Prime Minister together with extracts from the previous Joint Planning Staff report endorsed by the Chiefs of Staff Committee.

THE COMMITTEE:

Invited General Ismay to submit a minute to the Prime Minister on the lines agreed to in discussion, and to attach extracts from the report on the strategic importance of India.

Annex II³ to No. 224

Copy of a Minute (C.O.S. 1046/8) dated 30th August, 1946, from General Ismay to the Prime Minister

I think that you should see the attached extracts⁴ from a paper which sets out the views of the Chiefs of Staff on the strategic importance of India. They are at present engaged in preparing a further paper which will set out the military requirements which should be included in any treaty that may be concluded between Great Britain and an India which has elected for independence.

2. The fact remains, however, that, should India so elect, the chances of obtaining even our minimum requirements are remote, since the Indians will

¹ At this Meeting, held on 24 June 1946, the Chiefs of Staff Committee had considered a report by the Joint Planning Staff (J.P. (46) 103 (Final) of 20 June) which outlined minimum British strategic requirements in India and the implications of withdrawing British troops on the basis of two assumptions. These were: (a) that the Cabinet Mission negotiations were successful and a centralised Indian Govt. came into power which provided for unified control of defence; (b) that the new Govt. of India demanded the withdrawal of British troops. L/WS/1/1044: ff 55-7, 64-8.

² J.P. (46) 103 (Final) of 20 June. See note 1 above.

³ Only Annex II is on the file.

⁴ [Note in original:] Not attached; summary of J.P. (46) 103 (Final).

probably be just as suspicious and jealous of their new-found sovereignty as the Egyptians have been. Consequently, from the military point of view, it is as nearly vital as anything can be to ensure that India remains within the Commonwealth.

3. The Chiefs of Staff do not know what, if anything, can be done to influence the course of events, but they think that you will probably wish the Cabinet and the Viceroy to know the position as they see it.

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Commander-in-Chief, India to War Office

Telegram, L/WS/1/1091: ff 222-3

IMPORTANT
TOP SECRET

30 August 1946, 12.30 pm
Received: 1 September

249564/SD1. Subject is British manpower in India.

First. Government of India having reviewed the internal defence position in India in the light of present political situation have requested Secretary of State for India that plans for the withdrawal of all major Brit. Army Units (incl. those on loan from 2 Div) should be held in abeyance for the time being.¹ Assuming these proposals accepted our forecast for 1 Jan. 47 as follows.

B.T. Brit. Army in India excl. units of 2 Div. in India <i>vide</i>	37,700
your 64462/SD4 (B) of 7 Aug. ²	
B.T. in Ind. Army in India.	21,480
Total	59,180

Your ceiling 56,939. Our forecast therefore shows excess of 2,241. Strength of 2 Div. units in India is 4,100. All above figures less 3 per cent rfts. Letter³ follows fast air mail giving details Brit. Units proposed to be retained.

Second. Ref your 63705/SD4(B) of 25 Jul.⁴ your para. second. Our estimates all less 3 per cent reinforcements as follows.

A. 1 Jan. 47 ⁵			total
I. B.T. in Brit. Units in India (excl. 2 Div. Units in India)	Offrs 1,945	O.Rs. 35,755	37,700
II. B.T. in Ind. Units in India	„ 12,000	„ 9,480	21,480
B. 1 Jul. 47			
I. B.T. in Brit. Units in India	„ 1,042	„ 18,443	19,485
II. B.T. in Ind. Units in India	„ 6,000	„ 5,000	11,000

C. 1 Jan. 48				total
I. B.T. in Brit. Units in India	Offrs	910	O.Rs. 16,737	17,647
II. B.T. in Ind. Units in India	„	3,500	„ 3,000	6,500

Note. You will realise that figures for 1 Jul. 47 are dependent on a variety of unknown factors such as eventual size of post war army which is not yet firm; output of Ind. Offrs; progress of plan for withdrawal of B.O.Rs. from Ind. Units and the internal situation. Figures given are best estimate but cannot be regarded as firm. Estimate for 1 Jan. 48 still less firm.⁶

Your para. third. Figure of 17,000 confirmed for Brit. Units in post war Ind. army again subject to unknown factors such as internal situation and attitude of interim Government.

Following is estimate of B.T. in Ind. units. B.O.Rs. will run down as follows.

1 Jan. 48	3,000
1 Jan. 49	1,000
1 Jan. 50	900
1 Jan. 51	780

This number of B.O.Rs. will remain till all Brit. army units leave the country. Regret at this stage impossible to give estimate of Brit. Offrs in post war Ind. army.

[Para. Third, on British manpower for ALFSEA, omitted.]

Fourth. Please pass copy to Retaxandum.⁷

¹ See Nos. 330 and 334.

² Not traced in India Office Records.

³ G.H.Q (I) letter No. 6323/31/SD1 of 2 September. L/WS/1/1005: f 20.

⁴ Not traced in India Office Records. The telegram evidently asked for estimates of the numbers of British troops in India on the assumption that planned reductions were carried out.

⁵ Figures for 1 October 1946 may also be noted: British troops in British Units: 43,000; British troops in Indian Units: 37,000. Extract from letter No. 44/6/C.G.S. of 2 November from Lieutenant-General Sir A. Smith. L/WS/1/1095: f 11.

⁶ Tel. 249566/SD1 of 11 September from G.H.Q., India, referred to this telegram and stated that, if the request that plans for the withdrawal of all major British Army Units should be held in abeyance was accepted, the estimates in this para. should be amended so that the figures for British Units in India on 1 July 1947 and 1 January 1948 would remain at Officers 1,945; O.Rs 35,755; total 37,700. L/WS/1/1005: f 33.

⁷ Telegraphic address of India Office.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/PE/J/10/75: ff 368-71

MOST IMMEDIATE
TOP SECRET

INDIA OFFICE, 30 August 1946, 7 pm
Received: 31 August, 5 am

15940. Your telegrams 1809-S¹ and 1810-S² of 29th August. I have discussed the position further with the Prime Minister. We feel sure that you will bear in mind when you see Nehru and in any further talks with him or other Congress leaders the paramount necessity of securing that the Interim Government does now take office. The formation of the Government having been publicly announced we feel that it would give great offence not only in India but in the outside world if effect were not given to this decision, and that it would be represented as a breach of faith. The Congress are in a position to say that they never from the outset altered their position. Although their public statements are equivocal the position which they take in Nehru's letter³ is consistent with Azad's letter of the 25th June⁴ and with the Wardha resolution of 10th August,⁵ and it would be most difficult to explain or justify our change of front. Moreover, the questions awaiting decision by the political Interim Government are so urgent and overripe for settlement that we do not feel we can contemplate indefinite postponement of its formation.

2. If you are able on the grounds you indicate to get Congress to accept a postponement of the summoning of the Constituent Assembly until October this will provide a period of time for further discussions and soon after your Government has been formed we should like you to advance the proposition in my telegram 15892⁶ subject, of course, to any suggestions you may have for its modification or improvement. A possible variant of this proposition would be to provide that provincial constitutions should be framed by sub-committees of the Sections consisting of the representatives elected by the Province concerned without interference from the Section as a whole except in so far as the Group constitution decided upon requires the Provincial constitution to contain certain provisions. This would probably be still more in line with what Congress want but of course neither this nor the formula which I have already put to you meets the Congress objection to grouping as such.

3. We note that in verbal reply to Gandhi⁷ you said that the question of grouping was not a matter for the Interim Government but for the Congress and we agree that it is only a realistic approach to it by Congress which can alter the situation. On the other hand it seems to us that a discussion in the

Interim Government might be helpful though of course we are anxious that Interim Government should not be diverted from its administrative work by interminable discussions of the constitutional problem. There are, however, moderating elements in the Interim Government such as Rajagopalachari and the Independent and Congress Muslims and we should hope that before very long its members would begin to realise the grave results which may arise in various fields including food if the Muslims are solidly hostile. If you could secure a discussion in Council arising from some practical situation of that kind we think that that should be helpful.

4. In paragraph 4 of your 1809-S you say that if H.M.G. will stand quite firm on grouping, i.e. that the intentions of Mission must prevail, we may still get in the Muslim League. We should like to know whether it is your considered view that the Congress can be brought to accept this position or whether what you mean is that you think it essential to get the Muslim League's co-operation even if that means parting company with Congress.

5. We must impress upon you that it is essential that Cabinet should consider the position before this matter comes to a point at which the Congress withdraw their co-operation, and we must ask you to conduct your conversations with Nehru and the Congress in such a way that time is given to us to consider the position before this occurs. Cabinet may well wish as suggested in your 1804-S⁸ to invite you and Nehru and Jinnah to this country, but if it can be avoided we should not wish to come to that immediately as both President of Board of Trade and First Lord are absent until middle of September. If, however, Nehru takes the line that Interim Government will not assume office until they are assured that Constituent Assembly will meet on the basis which they accept we should have to consider holding this conference here at a very early date.

¹ No. 218.

² This repeated the text of No. 211.

³ No. 211.

⁴ Vol. VII, No. 603.

⁵ No. 137.

⁶ No. 219.

⁷ See No. 205.

⁸ No. 208.

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Minutes by Mr Turnbull, Sir D. Monteath and Lord Pethick-Lawrence

L/PEJ/10/75: ff 362-6

30-31 August 1946

Nehru's letter of 28th Aug.¹ to the Viceroy brings us to, or very near to, the parting of the ways.

¹ No. 211.

2. The difficulty with which we are now faced arises from the decision to accept Azad's letter of the 25th June² as an acceptance by Congress of the Cabinet Mission's Statement of the 16th May. The Congress have throughout openly held the position that they accepted the statement subject to their own interpretation which is briefly that the provision in 15 (5)—"Provinces should be free to form groups and each group could determine the provincial subjects to be taken in common"—overrides and governs the subsequent provision that the representatives of certain Provinces in the Constituent Assembly shall meet in sections "which shall proceed to settle certain constitutions of the Provinces included in each section, and shall also decide whether any group constitution shall be set up for those Provinces, and if so with what provincial subjects the group shall deal. Provinces shall have the power to opt out of the groups in accordance with the provisions of sub-clause viii below." The Congress Resolution of 24th May³ said, after stating this position "In order to retain the recommendatory character of the Statement, and in order to make the clauses consistent with each other, the Committee read paragraph 15 to mean that in the first instance the respective Provinces will make their choice whether or not to belong to the section in which they are placed. Thus the Constituent Assembly must be considered as a sovereign body with final authority for the purpose of drawing up the constitution and giving effect to it." Azad's letter of the 25th June said "With regard to the proposals made in the Statement of the 16th May . . . the Working Committee passed a Resolution on the 24th May, and conversation and correspondence have taken place between Your Excellency and the Cabinet Mission and myself and some of my colleagues. In these we have pointed out what in our opinion were the defects of the proposals. We also gave our interpretation of some of the provisions of the Statement. While adhering to our views, we accept your proposals and are prepared to work them with a view to achieve our objective".

3. The Secretary of State will remember that doubt was expressed by the Viceroy and by Sir W. Croft as to whether this constituted a genuine acceptance. The Viceroy wished, in one of the subsequent interviews with Congress Leaders, to press them for a definite acceptance of the Cabinet Mission's view. The Mission in their Statement of the 25th May issued immediately after the publication of the Congress Resolution referred to above stated positively that "The interpretation put by the Congress Resolution on paragraph 15 of the Statement, to the effect that Provinces can in the first instance make the choice whether or not to belong to the section in which they are placed does not accord with the Delegation's intentions. The reasons for the grouping of Provinces are well-known, and this is an essential feature of the scheme and can only be modified by agreement of the parties." The Viceroy wished to stand on this and get a definite acceptance by the Congress on that basis.

He considered that it would be better that Congress should reject the Statement as a whole, than that they should accept it with reservations which removed the provisions essential to secure the Muslim League's acceptance.

4. The Congress have never moved from their original position. Their Resolution of the 10th August⁴ contains exactly the same statement of their position as their previous pronouncements. They say that they accepted the Statement of May 16th in its entirety but interpret it to resolve the inconsistency contained in it and fill in the omissions laid down in the Statement, "They hold that Provincial Autonomy is a basic provision and each of the Provinces has the right to decide whether to join or form a group or not. The question of interpretation will be decided by the procedure laid down in the Statement itself, and Congress will advise its representatives in the Constituent Assembly to function accordingly". Mr. Jinnah in his Statement commenting on this Resolution points out that the Congress maintain that it is open to a Province to decide whether to join a group or not, but say that the interpretation of the Statement will be decided by the procedure laid down. He asks what this means other than a decision "by brute majority".

5. It seems to me by no means certain that the Federal Court would not interpret the Statement in the same way as Congress. It was not, of course, drafted as a legal document susceptible to judicial interpretation. The Statement provides for an initial meeting of the Constituent Assembly as a whole "of [at] which the general order of business will be decided". It also provides that in the Union Constituent Assembly the Resolutions varying the provisions of paragraph 15 or raising any major communal issue shall require a majority of the representatives present and voting of each of the two main communities. This provision does not apply in the sections. If an attempt was made by the Congress to get a decision in the Constituent Assembly as a whole, upholding their interpretation, it would be passed by a majority vote unless it were claimed to raise a major communal issue and this was upheld by the Chairman, after taking the advice of the Federal Court. It might, however, be argued by the Chairman that the interpretation of the Statement was not a decision of the Constituent Assembly and that this provision did not apply. If the Muslim League did not attend there might be no one to raise the question whether this was a major communal issue. Consequently, if the Constituent Assembly meets, there is considerable danger that the Congress will get their own way. It is difficult to see what advantage they expect to get from insisting on this interpretation, because the interests of Assam and the North-West Frontier are really safeguarded by the provision that they can opt out later. It therefore seems as if the object of this dispute was to drive the Muslim League out of the Constituent Assembly in which, up to date, it has been successful.

² Vol. VII, No. 603.

³ Vol. VII, Enclosure to No. 370.

⁴ No. 137.

6. What has to be decided now, or very shortly, is whether to allow the Congress to remain in the Interim Government and whether to hold the Constituent Assembly on a basis different from that which the Mission and the Viceroy have always maintained was the Mission's intention. Nehru's present letter to the Viceroy makes it plain beyond doubt that the Congress always intended to insist on their own interpretation of the Statement and have not, therefore, as they say they have, accepted it in its entirety. If this course is adopted it seems to me that it does give Mr. Jinnah a final justification in saying that he has been deceived, as the Muslim League accepted the Statement on the basis of the Cabinet Mission's interpretation of it, publicly laid down in the Statement of the 25th May.

7. The alternative, however, appears to be to break with the Congress; the Viceroy says that if we stand firm we will have a chance of getting the Muslim League in, but there seems to be an equal chance of getting the Congress out. If we have to administer India without the support of the Congress the Muslims will be less certain allies, after recent events, than they would have been previously.

8. On the other hand, the Viceroy is no doubt right in his belief that if Congress control the Government and get their head in the Constituent Assembly, communal warfare such as occurred in Calcutta will become widespread with disastrous consequences, particularly in regard to food supplies, and this is quite apart from the loss of life involved. If the Congress take office and the Constituent Assembly is convened without the Muslim League, I do not see that the Constituent Assembly can be prevented from continuing until it has reached conclusions. Nor do I see how, if we acquiesce in Nehru's letter, we could at the end of the Constituent Assembly claim that we did not accept its decisions because the Constituent Assembly had not functioned in accordance with the Cabinet Mission's intentions.

9. Therefore, if we take this course we are in fact turning India over to Congress control. It will be clear to Congress Leaders, if we give way on this question, that H.M.G. are not prepared to resist their demands, and the position will be that the Viceroy will be powerless to control the Interim Government in any matter unless he is prepared to part company with it altogether. There is a sentence in Nehru's letter which clearly indicates what is coming in this regard, which is as follows: "No Government can function if it is treated as if responsibility lay elsewhere and it had to submit any vital matters to proposals with which it was in disagreement". Mr. Jinnah says that Nehru, at his interview with him, said that he was not forming an Executive Council but a Provisional Government responsible to the Indian Legislature only.

10. When the Mission discussed the alternatives in the event of the Statement of May 16th being rejected, and put them to the Cabinet, one of the

alternatives which they envisaged and rejected⁵ was that rather than have a clash with the Congress, we should make terms with the Congress in which we should hand over to them in an orderly manner and withdraw from India. The Cabinet agreed that this course could not be contemplated.⁶ It is true that what was then envisaged was a complete break with Congress, resulting in a threat of a full-dress Congress campaign, and that what the Cabinet disliked most was the prospect of withdrawal under threat of violence. Nevertheless, what we are faced with now is really a concealed form of that situation. Congress have not accepted the Statement of May 16th, and the League, which had accepted it, have withdrawn because of this fact.

11. On the other hand, Congress can accurately say that they have not changed their position in any respect from the outset; that they have been invited to form the Interim Government on that basis and, therefore, that unless we allow them to proceed, we have shifted our position. It would seem, therefore, that it is inevitable that we should allow Congress to take office, should play for as much time as possible in the summoning of the Constituent Assembly, should use all our endeavours to persuade them to come to an accommodation with the League; but if this fails, to allow them to proceed with the Constituent Assembly. The only events which could justify us in retracting from this course would be if there is in fact widespread communal trouble amounting to civil war, which would demonstrate that India cannot live at peace under Congress rule. It will cost a good many lives to demonstrate that, but the Congress may well be driven by the burden of responsibility to reach an accommodation with the League which will secure their co-operation, both in administration and in the Constituent Assembly.

F. F. T.

30/8

This is a very interesting analysis. Commenting as one who was not in these very intricate discussions, it seems to me that the challenge given in Azad's letter of 25th June should have been taken up. He says that Congress saw defects in the *proposals* (i.e. the *recommendations* of 16th May). They adhere to *their views*: they accept "*your proposals*" (not your interpretation of them) and are prepared to work them *with a view to achieve our objective* (which, incidentally, is the avoidance of groups).

This, which I have described as a challenge, was taken as acceptance; which seems unfortunate and the root cause of all the difficulties that have followed. For laying rather pointed stress on the recommendatory nature of the scheme propounded in the statement of 16th May (the word "recommendation" or "recommend" appears both in paragraph 14 and in the basic paragraph 15) the letter of 25th June amounts to saying that Congress are prepared to take

⁵ See Vol. VII, No. 442.

⁶ See Vol. VII, No. 455.

the scheme in its broad outline as a project for consideration but are not tied to accepting as mandatory any particular provision in it that does not appeal to them.

The Muslim League on the other hand did accept the scheme even though the basic paragraph 15 contains as its first feature the establishment of a Union which is fundamentally contradictory of the conception of Pakistan to which they had previously been wedded.

One can hardly escape the conclusion that the Mission have been diddled, much as Dr. Ambedkar was diddled in 1932 over the Poona Pact, and by the same ruthless and Jesuitical master mind. (On both occasions there has lurked in the background the blackmailing element of a threat of resort to violent measures.)

Mr. Turnbull's apprehension that the Muslim League, which does seem to have a legitimate grievance, may refuse to take part in the Constituent Assembly seems not to lack foundation; and if that abstention does occur there will be no check on the way in which Congress may manipulate the procedure of the Assembly. Thus, read with the various utterances by Azad and Nehru as to their attitude towards the Interim Government, does seem to justify the conclusion reached in paragraph 9 of Mr. Turnbull's note.

As to what is to be done in the light of this situation if it has been analysed correctly, the decision has, I understand, been taken by the telegram⁷ sent to the Viceroy, urging him as the lesser of two evils to go on with the formation of the Interim Government as proposed on Congress recommendations, rather than precipitate a crisis (which would be very likely to develop quickly into a "non-violent violent" campaign exceeding that of 1942) by seeking to pin the Congress down at the last moment to our interpretation of the statement of May 16th, and our interpretation of the position and powers of the Interim Government. There may be a very faint hope that if the summoning of the Constituent Assembly can be postponed, owing to the clash with Provincial Assembly sessions, until October, a month's experience of responsibility added to the opportunity to ventilate this question of interpretation in Council before persons who may have a view of their own, may induce Congress to handle the situation in what would seem to a European mind a more "honest" way. But a month is a very short period in which to acquire wisdom and tolerance of other people's points of view.

It is interesting to see that in one quarter or another there are references to the absence from the present situation of any provision to cover points which some attempt at any rate was made to cover in the suggestions for a Provisional Government which were worked out in this Office⁸ before the Cabinet Mission left for India.

The technical point that had to be decided on June 25 by the Mission was whether Congress had qualified under para 8 of June 16 as an acceptor of the Statement of May 16 when it did so with a reservation that it preferred its own interpretation of it to that of the Mission and w[oul]d only bow to the Mission's view if it was supported by the Federal Court.

The Viceroy's point is not one of law but of statecraft. He says that whatever view may be taken by the Federal Court on the issue, and whether the Mission were right or wrong in allowing Congress to come in under para 8, the practical effect of not accepting the Mission's interpretation will be inter-communal strife and that the only hope of a peaceful India is for Congress not to press their interpretation.

Incidentally, as I understand it, Congress do accept the rule about communal issues requiring a majority of both communities but they claim that this does not apply to interpretation which is a matter for the Federal Court.

(Gandhi raised the point about the general right of interpretation very early on in an interview with S.C. and myself on May 17 or 18.⁹ I then took a more guarded view than S.C. But if my recollection serves me right I was authorised by the Mission to write him a letter about it (? May 17, 18 or 19).¹⁰ If so perhaps this letter could be found. But it may have been only a verbal statement.)

[P.-L.]
undated

⁷ No 226 ⁸ See Vol. VI, No. 541.

⁹ The point was raised by Mr Gandhi at his meeting with Sir Stafford Cripps and Lord Pethick-Lawrence on 18 May 1946, see Vol. VII, No. 320. Subsequently Mr Gandhi dealt with the point in his letter of 19 May to Lord Pethick-Lawrence (Vol. VII, No. 327).

¹⁰ Lord Pethick-Lawrence did not reply directly to Mr Gandhi's letter of 19 May as he was replying to Maulana Azad on the same subject, see Vol. VII, No. 342. For Lord Pethick-Lawrence's letter of 22 May 1946 to Maulana Azad, see Vol. VII, No. 355.

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Cabinet Paper C.P. (46) 329

L/PE/S/12/4631: ff 242-8

CONDUCT OF FOREIGN AFFAIRS AFFECTING INDIA WITH AN INTERIM GOVERNMENT IN OFFICE

JOINT MEMORANDUM BY SECRETARY OF STATE FOR FOREIGN AFFAIRS AND SECRETARY OF STATE FOR INDIA

FOREIGN OFFICE, INDIA OFFICE, 30 August 1946

The situation in India makes it necessary to consider:

- (a) The extent to which the Secretary of State for India will be expected to

discharge his statutory responsibilities for the control of India's foreign relations under the existing constitution during the period of an Interim Government in India;

(b) How the continuity of United Kingdom Foreign policy can be maintained under conditions which cannot at present be forecast with certainty.

2. The first part of this paper assumes that an Interim Government will be established, that it will accept at any rate a measure of United Kingdom control in the conduct of foreign affairs under the present constitution, and that the transition from United Kingdom to complete Indian control will be gradual and orderly.

3. The second part of the paper examines the situation which may arise if the assumptions in the preceding paragraph prove incorrect, and makes recommendations with a view to maintaining the continuity of United Kingdom foreign policy despite what may happen in India.

4. Both parts of the paper conclude:

(a) that H.M.G. should be ready to maintain and staff from U.K. sources (with suitable reinforcement) Missions in Kabul and Katmandu for the purpose of representing U.K., as distinct from Indian, interests;

(b) that in preparation for an Indian withdrawal of the existing contribution to diplomatic and consular expenditure in Persia, an investigation should be made of the consular posts in Persia which it will be necessary to maintain and staff by Foreign Service Officers, with reinforcement from the I.P.S.;

(c) that a decision in principle should now be taken to assume as rapidly as possible direct control of, and responsibility for, the Political Resident in the Persian Gulf, and his subordinate agencies.

Control of India's foreign relations under an Interim Government

5. One of the chief responsibilities of the Secretary of State for India under the existing constitution is the control of India's foreign affairs. It is now time to consider the steps which it will be necessary to take in the interim period, in contemplation of an ultimate transfer of control and responsibility in this field from British to Indian hands, so as to ensure that the Indian members of the Governor-General's Executive Council have the largest possible measure of authority. Thus the issue will be to reconcile the freedom which must be accorded to the Interim Government in foreign affairs with the exercise by His Majesty's Government, through the Viceroy, of the minimum measure of control necessary to secure vital Commonwealth interests.

6. Hitherto the Viceroy himself has held charge of the portfolio of External Affairs; he has been advised by a Department staffed predominantly by European British officers. (It should be explained that India's relations with other Commonwealth countries are handled by a separate Department of the Government of India which has been in the charge of an Indian Member of the Viceroy's Executive Council, and do not come within the scope of this paper.) The execution of policy has been entrusted to a service which, though increasingly Indianised over the past twenty years, still contains a great majority of British officers. There has therefore, up to the present, been no difficulty in securing the recognition of the fundamental unity, under His Majesty's Government's control, of British and Indian foreign policy.

7. Prior to the war, Indian foreign interests were circumscribed, being limited chiefly to the Indian Ocean Basin, the Muslim states of the Middle East and Central Asia. During the war, India's interests widened to embrace not only Far Eastern and S.E. Asian countries, but also the U.S.A. and Africa.

8. An Indian political leader will now, as a member of the Interim Government, hold charge of the External Affairs Portfolio, and will, in pursuance of the public statements made by the Government, including paragraph 10 of the statement issued by the Cabinet Mission on 25th May 1946 (Command 6835) be given "the greatest possible freedom in the exercise of day to day administration of India". The position is set out clearly in the Viceroy's letter to Maulana Azad of 30th May last¹ (Command 6861, item 4) paragraphs 3-5 of which run as follows:—

"3. I am quite clear that I did not state to you that the Interim Government would have the same powers as a Dominion Cabinet. The whole Constitutional position is entirely different. I said that I was sure that His Majesty's Government would treat the new Interim Government with the same close consultation and consideration as a Dominion Government.

4. His Majesty's Government have already said that they will give to the Indian Government the greatest possible freedom in the exercise of the day to day administration of the country; and I need hardly assure you that it is my intention faithfully to carry out this undertaking.

5. I am quite clear that the spirit in which the Government is worked will be of much greater importance than any formal document and guarantees. I have no doubt that, if you are prepared to trust me, we shall be able to co-operate in a manner which will give India a sense of freedom from external control and will prepare for complete freedom as soon as the new Constitution is made."

Many of the leaders, especially of the Congress Party, and Pandit Nehru in

¹ Vol. VII, No. 409.

particular, have well-defined views on this intriguing branch of administration; with a lack of experience in this field, and an impatience to carry out ideas formed in conditions of irresponsibility they may be expected to pursue what they conceive, against a narrow background, to be an appropriate line of policy without regard for its wider implications, notably the fundamental unity of the British Commonwealth in which India must, at least during this period, continue to participate.

9. It is impossible to define in advance how these Commonwealth interests might be affected and what steps would have to be taken in any given case to safeguard them. They may, however, be broadly described as including:—

- (a) the observance of treaties with foreign powers entered into by H.M.G. in the U.K. as the Power responsible for the foreign relations of India;
- (b) the avoidance of any prejudice to H.M.G.'s relations with foreign powers, especially the Moslem States of the Middle East;
- (c) The security of British strategic interests in the Indian Ocean Basin.

10. As examples of the possible methods by which our interests under these three heads might be affected we would instance the following:

(a) The handling of tribal affairs in the North West Frontier of India is inseparable from the conduct of relations with the Afghan Government whose treaty is with H.M.G. and not India. A policy based upon preconceived ideas, without the leaven of a knowledge of tribal psychology and reactions which can be gained only by experience, is calculated to set up stresses in Afghanistan which would gravely affect relations with H.M.G. and might well decide the Afghan Government to seek reinsurance with the Soviet Union. Failure on the part of H.M.G. to control such developments would have a deplorable effect on their reputation for honouring International obligations.

(b) Emotionalism may colour Indian political leaders' appreciation of the facts and requirements of India's true long-term interests in relation to Persia and Tibet and may lead to ill-judged decisions on matters relating to those countries which may be gravely embarrassing to H.M.G. in the conduct of relations with those countries.

(c) Sympathy with fellow Asiatics wishing to free themselves from the tutelage of European powers may lead an Indian Interim Government to extend support to movements in Colonial territories in South East Asia, whether British or Foreign, which claim to be based on the realisation of national aspirations, without regard to the responsibilities of the metropolitan powers.

11. Information and consultation will pass from Government to Government and through the U.K. High Commissioner (to be appointed shortly).² But such control as H.M.G. may find it possible to exercise (as distinct from

the attempt at persuasion which will be the only method for the High Commissioner and the normal method of the Viceroy) should clearly proceed only through communications passing between the Secretary of State and the Viceroy. In particular, it will not be possible for any control to be exercised, except by this means, over the instructions sent by the Interim Government to any Indian representatives in foreign capitals. A request to establish Indian legations in Washington and Nanking (superseding the present Agencies-General in those cities) will follow on the formation of an Interim Government, and it may be expected that the new Government will extend the independent representation of India to other countries, though this process may be impeded by a shortage of trained Chancery staff.

12. In this connection, Indian eyes will first turn to limitrophe countries and appointments to diplomatic posts in Tehran, Kabul and even Katmandu may be expected to follow at an early stage. When this happens, it will terminate the arrangements by which India pays the entire cost of the Kabul and Katmandu legations and staffs them from the I.P.S., and by which she shares with H.M.G. the cost of diplomatic and consular representation in Persia.

13. With a decision to establish Indian diplomatic posts in Kabul and Katmandu, a parallel decision by H.M.G. will be necessary to maintain and staff from U.K. sources (which will probably need reinforcements from European members of the I.P.S.) British Missions at these posts. This will involve the purchase from India, or the construction, of the necessary office and living accommodation. At the former, the justification for this is provided in the Treaty with Afghanistan of 1921 (which runs in the name of H.M.G. and the Afghan Government), by strategic considerations, and by the economic potentialities of the country. (It is relevant to observe that, apart from the limitrophe countries, the U.S. and French among other Governments maintain Legations there.) At the latter, apart from Treaty obligations, the necessity arises from H.M.G.'s intention to recruit Gurkhas for the Imperial Forces.

14. The termination of the arrangement by which Indian revenues contribute half the cost of diplomatic and consular expenditure in Persia had been

² It may be noted that, at about this time but quite separately from the preparation of this Cabinet Paper, officials were reviewing procedures for the sharing of information with the Government of India. On 30 August the Foreign Office sent a telegram giving guidance on this subject to Diplomatic Representatives at Tehran, Nanking, Bagdad, Jedda, Cairo, Bangkok and Singapore. This telegram stated that, as it was H.M.G.'s policy 'to treat the new Indian Government with the same close consultation and consideration as a Dominion Government', it followed that H.M.G. would 'continue as hitherto to furnish information on External Affairs to the new Government', but that particular care would have to be exercised in the transmission of especially secret information. This telegram was apparently reissued on 11 September as a Circular, and on 2 November the Foreign Office supplemented it with a further Circular, addressed to all Diplomatic and some Consular Posts abroad, giving detailed guidance on the types of information requiring special care and on the manner of exercising discretion in its transmission to India. L/P&S/12/92: ff 44, 16, 10.

proposed before the War and was deferred at H.M.G.'s request. It no longer represents the measure of influence on the direction of British policy towards Persia which India is able to exert. A renewal of the demand may be expected to follow very soon after the formation of the Interim Government.

15. The magnitude and character of the interests of H.M.G. on the Arab shore of the Persian Gulf (relating mainly to the protection of oil supplies, the development of oil resources and air and sea communications of increasing strategic importance as Russian pressure on Persia becomes intensified) make it necessary that the charge of those interests should be in reliable hands and under H.M.G.'s direct control. We must not risk any Indian interference with our essential interests in this area. The treaties with the Rulers providing for the external relations of the Sheikhdoms being under British control and for the protection of their territories from maritime attack, run in the name of H.M.G., and their Rulers expect relations to be in the hands of British officers acting in the name of H.M.G. At the same time, it must be recognised that the severance of the administration from direct provision and superintendence by the Government of India will take time to effect and will also require, as in the case of Kabul and Katmandu, the transfer to service under H.M.G. of a cadre of experienced personnel drawn from British members of the I.P.S. and the purchase, by negotiation with the Government of India, of the administrative buildings or the construction of alternative accommodation.

16. We conclude that any control exercised over an Indian Interim Government should in the field of foreign relations be restricted to the minimum necessary to secure:—

- (a) the fulfilment of Treaty obligations entered into by H.M.G. as the Power responsible for the foreign relations of India, and
- (b) that steps are not taken without H.M.G.'s knowledge and approval which are likely to affect H.M.G.'s relations with foreign powers or their essential strategic interests.

PART II

Continuity of United Kingdom Foreign Policy

17. We must also consider the possibility that the Interim Government will not prove amenable to the control of the Secretary of State in foreign relations.

18. In such circumstances the overriding necessity will be to maintain the continuity of United Kingdom foreign policy in the relations of foreign countries with India until such time as order is restored or until India has finally assumed the conduct of her own foreign policy.

19. The following are some examples of the kind of situation which might arise if direct control of Indian foreign policy should prove ineffective or impossible:—

- (a) India might offer public support to the Indonesians against the Dutch and to the Viet Namh against the French; (*it should not be forgotten that independence movements in Burma, Malaya and Ceylon might equally be supported by Indian political leaders*).
- (b) India might demand the return of Portuguese and French possessions;
- (c) The lives of foreign nationals might be endangered or their economic interests jeopardised either as a result of measures introduced by Indian leaders or as a result of civil commotion.

20. In each of the above instances it could be expected that foreign governments would make representations to H.M.G. in the U.K., in the first instance, to whom they would look for both advice and probably also redress. It is impossible to devise methods in advance to deal with hypothetical situations, but it is obvious that in the worst case H.M.G. would be in the awkward position of having responsibility for India's foreign affairs without being able to fulfil that responsibility. They would also have to be prepared to deal with possible third party intervention with the U.N.O.

21. All efforts will, however, have to be made to maintain the U.K. position as far as possible in limitrophe countries such as Afghanistan, Nepal, Persia and the Arab shore of the Persian Gulf, for it will be in these areas that the chief difficulties may be expected to arise should the control of India's foreign affairs prove ineffective. In some cases, e.g. Afghanistan, it may prove to be physically impossible, in the face of obstructiveness on the part of the Indian Government, to give full effect to H.M.G.'s policy as hitherto conceived.

22. We conclude therefore:—

- (a) That H.M.G. in the U.K. must be ready to deal as they arise with questions relating to foreign affairs which may result from unwillingness of an Interim Government in India to accept control or from a state of chaos.
- (b) That H.M.G. must be ready to set up its own establishments in limitrophe countries at the shortest notice. *The steps required to be taken are shown in paragraph 4 above.*

E. B.

P.-L.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/117: f 201

MOST IMMEDIATE
TOP SECRET

NEW DELHI, 31 August 1946, 12.55 pm
Received: 31 August, 10.20 am

No. 1828-S. Your 15940 of 30th August.¹ There is no question at present of Congress refusing to join Interim Government. I am discussing portfolios with Nehru tomorrow and unless something unforeseen happens Members will be sworn in at 11 hours I.S.T. on Monday.

2. I will deal with remainder of your telegram separately.

¹ No. 226.

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Mr Alexander to Lord Pethick-Lawrence (via U.K. Delegation, Peace Conference and Foreign Office)

Telegram, L/PEJ/10/75: f 360

IMMEDIATE
TOP SECRET

PARIS, 31 August 1946, 9.30 am
Received: 31 August, 9.35 am

No. 623. Personal for Secretary of State for India from First Lord.

I have just received this evening copies of the Viceroy's telegram No. 1804-S of the 28th August¹ and your reply to him No. 15817 of the same date.² I agree with the review in paragraphs 2 and 3 of your telegram of the situation which has arisen and it is no doubt a pity that the Viceroy went as far as he did in his interview with Nehru and Gandhi on the 27th August³ without further consultation.

I feel as regards the compromise suggested in your paragraph 4 that although it might to some extent please Congress it is unlikely to move them from the intransigent attitude which they have adopted both in private and in public utterances. Jinnah, on the other hand, would be likely to represent it as an important departure from the statement of May 16th, proposed without consultation with him, the effects of which are likely to be harmful to the Muslim League. I should prefer myself to attempt to get Jinnah and Nehru to London now, together with the Viceroy, to discuss the position.

¹ No. 208.

² No. 213.

³ See No. 205.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/117: ff 208-10

MOST IMMEDIATE
SECRET

NEW DELHI, 31 August 1946, 5 pm
Received: 31 August, 3.45 pm

1829-S. Your telegram No. 15940.¹

As I have already cabled, Interim Government will take office on September 2nd unless some unforeseen hitch occurs. Whether its assumption of office will lead to further demonstrations and riots on the Calcutta model, I cannot tell. I think on the whole that we are unlikely to have widespread disorder at once, but I do not think that a single-party Government can control India for more than a very limited period without serious troubles arising.

2. The matter of Grouping in the Constituent Assembly is, I believe, now the crux of the whole problem, not only of the Constituent Assembly itself but of Muslim League participation in the Central Government. It is not a matter of niceties of legal argument but of practical considerations and also of the reputation of H.M.G. Calcutta with its 20,000 casualties and more than 100,000 homeless has shown that we cannot safely summon the Constituent Assembly until some agreed basis has been reached.

3. I feel I must make my own position clear to H.M.G. on this question. I must begin by expressing my deep regret that I have been slower than I should have been to recognise the true position. I should have warned H.M.G. of the danger ahead and should have acted sooner. The Cabinet Mission will remember that I was strongly opposed to treating the Congress acceptance of the Statement of May 16th as genuine² and was only reluctantly persuaded to agree to it on assurances that the safeguards in the Statement would prevent the Congress from destroying the principle of Grouping without the consent of the Muslim League, and also by a belief that H.M.G. was determined to see that this essential provision, which was the only one which persuaded the League to accept, would not be upset. You will remember that in my 1464-S of 16th July³ I specially requested that H.M.G.'s position on this point should be made clear in the Statement to Parliament. I accepted the text in your 13176 of 17th July⁴ as a satisfactory assurance to the Muslims, and believe that it would have been so, had not your reply⁵ to Simon aroused suspicion that H.M.G. did not really mean to insist on this essential provision.

¹ No. 226.

² 'genuine' deciphered 'spontaneous'.

³ No. 34.

⁴ No. 42.

⁵ See No. 135, para. 4 and Appendix I to No. 317 for quotations from Lord Pethick-Lawrence's reply.

4. After Nehru's wild statements in Bombay and the League's withdrawal from their acceptance of the Statement of May 16th, I feel that I should have acted at once to get a clear decision on the Grouping question. My only excuse is that I knew that Nehru's statements were not approved by Congress as a whole and that my attention was concentrated on trying to obtain an Interim Government. I am afraid that I interpreted the Congress resolution⁶ at Wardha as meaning that Congress genuinely intended to work the Statement of May 16th, the whole crux of which, shorn of all legal technicalities, is that there should be compulsory grouping of Provinces for framing Group and Provincial constitutions. My interview with Gandhi and Nehru on my return from Calcutta showed me that Congress still had no genuine intention of accepting the grouping in the way the Mission intended.

5. I am therefore quite clear that we must settle this point about Grouping before I summon the Constituent Assembly. Indeed until we have done so the most essential part of the Mission's work on the long-term plan remains undone. The key-stone of the arch is missing. I am having the formula which you proposed examined and think that it or something on similar lines may be valuable. Congress reactions to my proposition have not been as violent as I expected and I believe that stand I have taken will have good effect, if H.M.G. supports me firmly. Further letter⁷ from Nehru which takes reasonably conciliatory line is on way to you by fast air mail.

6. Meanwhile Jinnah does not help by continuing his campaign of abuse against the Congress, the Mission and myself, but there are signs that the League as a whole would welcome a settlement. The timing of any approach will be difficult, and I will advise you further after my talk with Nehru to-

⁶ No. 137.

⁷ No. 216.

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Sir F. Wylie (United Provinces) to Field Marshal Viscount Wavell

R/3/1/135: ff 118-21

SECRET

GOVERNOR'S CAMP, UNITED PROVINCES,

No. U.P.-43.

31 August 1946

Dear Lord Wavell,

Will Your Excellency kindly refer to my letter No. U.P.-42 dated August 29th,¹ in which I tried to give you an appreciation of the situation in this

Province following upon your request to the Congress President to make proposals for the setting up of an interim Government?

2. Since this letter was written I have had talks with a number of people. One of my visitors attempted a forecast of the form "direct action" on the part of the Muslim League might take. The gist of his remarks is I think worth reporting. He suggests:—

- (a) that the first step will be picketing of *Hindu* shops to prevent sale of foreign—and particularly British—goods.
- (b) that simultaneously a regular campaign of ticketless travel on the railways will be started. Organised bands of Muslims of the size and numbers required for the purpose, will invade important stations from which particular trains are scheduled to start and will occupy the entire accommodation available on these trains. The idea here of course is to bring railway traffic for essential purposes to a stand-still.
- (c) that the second stage will be a no-rent/Land Revenue campaign to bring Muslim cultivators everywhere into conflict with the law.
- (d) that if the above measures fail of their expected effect, all Muslim Government servants, particularly the rank and file of the Army and the Police, will be urged to resign from Government service.

3. I am still unable to take this "direct action" threat on the part of the Muslim League altogether seriously. I must confess however that, if Jinnah means business and if the above forecast bears any resemblance to his real intentions, the Government of the country could be made exceedingly difficult. Picketing of *Hindu* shops for instance is bound to lead—and lead immediately—to extensive rioting. If the Muslims were sufficiently well organised, which I doubt, the plan for ticketless travel could also become a very real embarrassment. A no-rent/Land Revenue campaign would also have very dangerous possibilities, while the resignation of Muslim policemen and Muslim soldiers would convert this administration for instance into a purely Hindu organisation with obvious implications of the most dangerous kind.

4. I have no idea whether my informant has obtained these ideas from talks with members of the Muslim League or whether they are merely his own conception of how the "direct action" campaign could be made to work. I confess however that since the Muslim threat of "direct action" was explained to me in the terms I have quoted, I see more danger in it than I had at one time thought possible.

5. The general impression among my visitors is that serious trouble is inevitable. It is not expected necessarily on the 2nd of September, but it will

¹ No. 220.

not they think be delayed much beyond that date. I do not know whether to say that I agree with this view or not. There is much apprehension abroad but, up to a point, this does no harm as it makes the responsible elements on both sides more careful. Such influence as these persons exercise on the criminal and altogether irresponsible elements among the public is also more likely to be brought to bear while they are afraid. In so far as this prevents exciting incidents, it is all to the good. When the exciting cause has been provided, however, it is only the police who can save the situation as our police did the other day with conspicuous success in Allahabad.

6. Ali Zaheer, your new Executive Councillor, came to see me before he left for Delhi. He is a son of Sir Wazir Hasan who was Chief Judge of the Oudh Court and a regular Gehazi into the bargain. The family are peculiar. His mother flirts with the Congress; one of his brothers is Commissioner at Gorakhpur and the other is a Communist. Ali Zaheer is himself of little or no account. He has some practice as a lawyer in the Lucknow Courts but his father made plenty of money as Chief Judge and the family are very comfortably off. He asked me how I thought a compromise could be arranged which would bring the Muslim League into the Interim Government and I made a suggestion to him which I have been anxious to make to Pant only that he is not here these days. The suggestion is that the Congress and Nationalist Muslims should meet and, by a self-denying ordinance, tell the Congress and the world that they do not *want* representation in the Executive Council. I mention the suggestion for what it is worth. I must confess however that when I tried it out on Pandit² he was of the opinion that once men like Ali Zaheer get into the Executive Council, it would take a drag line to get them out. I am afraid there may be truth in this, but my plan, if it materialised, would at any rate free the Congress from their obligation—with which I rather sympathise—not to throw over their Muslim supporters in this hour of their triumph.

7. Whatever expedient is used, I earnestly hope that Your Excellency will go on trying to get the Muslim League in. Everybody here—including myself—thinks that a face saver, however intrinsically valueless it may be, would do the trick. But it must come quick and before the “direct action” plan of the Muslims, if they have one, takes public shape. After that, pride and considerations of prestige, on both sides, will make an early rapprochement of any kind impossible.

Yours sincerely,

F. V. WYLIE

² Mr A. D. Pandit, Secretary to the Governor of the United Provinces.

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Sir E. Jenkins (Punjab) to Field Marshal Viscount Wavell

Wavell Papers. Political Series, June-December 1946, pp. 158-64

SECRET

31 August 1946

D.-O. NO. G.S.-483.

I enclose an appreciation of the Punjab situation at the end of August 1946, which I thought too long for inclusion in a fortnightly letter.

Enclosure to No. 233

APPRECIATION OF PUNJAB SITUATION AT THE END OF AUGUST 1946

A. COMMUNAL

1. The Muslims are frightened and angry. They believe that Jinnah has been outwitted and that they have been betrayed. They think that our refusal to put the Muslim League into power when the Congress was non-co-operating, and our apparent eagerness to bring the Congress in as soon as the party positions were reversed, can be explained only by a deep-laid plot between the British and the Congress. They regard the formation of the Interim Government as an unconditional surrender of power to the Hindus, and are convinced that the Governor-General will be unable to prevent the Hindus from using their newly-acquired power for the systematic suppression of the Muslims all over India. The tone of the Muslim Press is deplorable; bitter speeches are being made at prayer-time in the mosques; and the murderous attack on Sir Shafaat Ahmad Khan on 24th August was undoubtedly an expression of a very general feeling.

2. There is at the same time some dismay among educated Muslims of "loyalist" families who find themselves for the first time in open revolt against the British. The renunciation of titles has so far been less rapid and less eager than the Muslim League had hoped, and on a very limited section of the Muslims the Viceroy's broadcast of 24th August has probably had a sobering effect.

3. Broadly, the appreciation in paragraph 1 above is true of the great mass of the Muslims, and their temper has not been improved by Nehru's statements immediately before and after his abortive approach to Jinnah, nor by the Hindu attitude on the Calcutta riots. Nehru's statements included two attacks on the Hyderabad State; a reaffirmation of the revolutionary character and aims of the Congress; a forecast of the general attitude of the Interim

Government, which will (according to Nehru) be free from the Governor-General's control, responsible to the Central Legislature, and ready to face and suppress Muslim "direct action"; and an *ex parte* condemnation of the Bengal Ministry for the Calcutta riots. Hindu propaganda on the Calcutta riots was extraordinarily prompt and effective, and received weighty support from the *Statesman*. Punjabi Muslims have not relished cartoons of Muslim League leaders washing in blood, cutting off the breasts of Hindu women, and committing other atrocities; nor are they ready to believe that the Muslims of Calcutta were entirely to blame, as the news and articles in the Hindu Press imply.

4. The Hindus are jubilant—they are bad winners, and will do all they can to taunt and humiliate the Muslims. They are foolish enough to believe that here in the Punjab they will be able to suppress the Muslims once for all with British aid, and loose talk to this effect is going on among Congress leaders. The Congress pact with the Sikhs is welcomed as ensuring protection for the Hindus, especially in the Central Punjab. The Hindu newspapers are arrogant and most bitterly communal. Underneath the bluster there is (as always with the urban Hindu) an undercurrent of fear; nothing is more likely to bring about a physical conflict than this pitiful combination of arrogance and timidity.

5. The Sikh attitude is still uncertain—the community is divided into at least three groups, and although it is now officially linked with the Congress some influential Sikhs would be reluctant to break finally with the Muslims. The chances are, however, that in any serious disturbance the Sikhs would side with the Hindus. The tone of the Sikh Press and of Sikh speakers is anti-British and anti-Muslim, and the Sikh speakers are among the most violent in the Punjab.

6. We have here the material for a vast communal upheaval. The hard core of the Muslim case—that the stage is set for the suppression of the Muslim community—is so nearly true that it cannot be answered with sincerity or conviction. The Muslims are ill-organised, but they will fight sooner than submit to dictation from the Congress High Command. Whether an upheaval can be prevented, what form it will take if it occurs, and whether we can deal with it adequately are questions to be answered after the political situation and the state of the Provincial administration have been examined.

B. POLITICAL

7. What the Punjab needs at the present stage of its social and economic development is a Government representing all three communities, strongly supported in the Assembly, and with a marked rural bias. Such a Government

could be formed by a Coalition based on genuine common interest, or by a revived and strengthened Unionist Party. The Coalition Ministry formed after the General Election consists of three Unionist Muslims (Khizar Hayat Khan, the Premier, Muzaffar Ali Qizilbash, and Muhanmad Ibrahim Barq); two Congressmen (Bhum Sen Sachar, and Lahri Singh); and one Panthic Sikh (Baldev Singh). It has no genuine common interest, and commands only a bare majority in the Assembly.

8. The Muslim Ministers have little influence inside or outside the Assembly. Their importance is due to the fact that if they withdrew the Ministry would fall.

The Congressmen are nonentities, relatively inoffensive to the two factions into which the Provincial Congress Party is divided. They are afraid of their followers and are perforce led by them.

The Sikh is a wealthy industrialist, and was brought up largely outside the Punjab. His business interests are in Bihar. The Sikhs are not easy to control, and he has little real influence over them. His personal sympathies are with the Congress. He is about to join the Interim Government, and his successor in the Punjab is unlikely to be an improvement.

The Coalition Ministry is, in short, an exceedingly weak team. Its Muslim members dislike and distrust their Congress colleagues; the Congressmen are constantly under fire from their alleged followers within the Province and from their party High Command outside it, and are absorbed in futile trivialities; and the Sikh, though apparently loyal enough to the Premier, makes no secret of his personal contempt of the two Congressmen. The Ministry has so far been afraid to introduce any legislation, and its only parliamentary achievements have been the passage of the Budget, and a victory on a motion for the adjournment at the one day session in July. The Premier has had vague hopes that some of his old Unionist supporters would ultimately desert the Muslim League and rejoin him, but no great accession of parliamentary strength can be expected in the immediate future. The Assembly will remain divided between the Muslim League—the largest single party—and the rest; and the Ministry will have its work cut out to maintain itself at all. The Scheduled Caste members, who are loosely attached to regular parties, are a constant source of uncertainty and anxiety.

9. Outside the Assembly, the political scene is hardly more encouraging. The two largest parties—the Muslim League and the Congress—simply reflect the communal situation. But whereas the Muslim League, in spite of acute internal dissensions, is likely to present a common front to the Congress threat, the Congress Party is torn by factions which affect the stability of the Ministry. The Hindus as a community will stand together against the Muslims, but the Congress Party will not as a body support the Ministry in the firm and

impartial measures necessary to maintain law and order. Overlapping the orthodox Congress Party is the Congress Socialist Party, whose leaders (notably Jai Prakash Narain) have been preaching violent revolution, including the capture of police stations and public buildings and the murder of officials. The Congress Socialists are closely connected with the Congress High Command. Further to the left are the Communists, who, like the Congress Socialists, are at the bottom of much of the present labour and *kisan* unrest, and will use any disturbances to their own advantage. Both the Congress Socialists and the Communists are feared by the Ministry whose only idea is to placate them. A strong Government would have dealt with them months ago. The Sikhs, in spite of their talk of unity, are split, and cannot be relied upon to support the Ministry outside the Assembly. The minor Muslim parties, such as the Ahrars and the Khaksars, will certainly take a line of their own; both can be dangerous.

10. The political situation is thus most unstable, with a Ministry under constant attack from the only organised following it has, and at least two subversive parties preaching violence (admittedly for political and not communal ends) and flouting the authorities more or less unchecked. The only immediate alternative is, however, a Muslim League Ministry dependent upon marginal elements which would be no stronger inside the Assembly, though perhaps less timid outside it.

C. ADMINISTRATION

11. A Ministry which fears both the Legislature and its own followers can hardly hope to earn either the respect of the public or the enthusiastic co-operation of its officials. The record of the Coalition Ministry is not impressive. It has failed to control the bitterly communal Press; turned a blind eye on "private armies", which are already a serious menace; permitted speeches (mainly by Jai Prakash Narain and his followers, and by Sikhs) advocating revolution and murder; and generally treated law and order matters as civil disputes to which District Magistrates and Superintendents of Police are merely parties. Authority in the Punjab has never been at a lower ebb. The District Officers (on whom the maintenance of law and order depends) realise that the parties and persons defying the law—for example taking out unauthorised processions, smashing canal outlets, intervening forcibly in disputes between landlords and tenants, resorting to violence during industrial strikes, or preaching open revolution and murder—are normally the followers of the Congress or Sikh Ministers, and that proceedings against them will almost certainly be withdrawn. We are relapsing into the conditions of some of the Indian States, in which no official will use his initiative or his statutory powers without first ascertaining that he will be supported. It would take courage and

determination which the Ministry does not possess to restore even respectable standards of routine administration.

12. The communal situation is something very different from a routine law and order problem. To handle it competently the Ministry would have to live down its own past weaknesses and deal firmly not only with the Muslims but with its own followers, who have run riot for months. This would be a difficult task in any conditions, in the Punjab now the conditions are most unfavourable. The sympathies of Muslim officials (including about 70 per cent. of the Police) are mainly with the Muslim League; and the British officials are most reluctant to be drawn into a communal struggle on behalf of the Congress.

13. How far we can count on the loyalty of Muslim officials holding key posts, and of the Police, it is impossible to say. Such Intelligence reports as I have confirm the view that the Congress High Command (or at least an influential part of it) intends to pervade the Provincial sphere, and to use the Interim Government in order to settle accounts with the Muslim League. If at any stage it becomes clear that the Punjab is under outside dictation in law and order or indeed in other important matters, or that troops (especially British troops) are being used otherwise than impartially, I do not think that the Ministry could count either on its Muslim officials or on the Police. The assurances given by the Viceroy in his broadcast of 24th August¹ have had some effect; but the Hindus were displeased by them, and the Muslims were not entirely convinced. "Safeguards" are of little value against a homogeneous Government commanding a majority in the Legislature, and His Majesty's Government may well be forced to choose between an alliance with the Hindus against the Muslims and the equally unpleasant alternative of an open conflict with the Hindus.

14. The attitude of the average British official in the Indian Civil Service or the Indian Police must be clearly understood. He will do his work, and, if assured of support, will deal with any emergency which does not involve taking sides. But he will not lend himself to any policy which he believes to be immoral and unjust. Provided that the Punjab is left to itself, and there is no outside dictation, he may stand firm; but if His Majesty's Government promotes, or acquiesces in any systematic suppression of our large Muslim population, he will not. The failure of His Majesty's Government to allow premature retirement before 1947, and to announce compensation terms, is an unsettling factor. Before the present trouble arose many British officials were justifiably worried about their future—it is not easy for a married man of, say, 30–35, with a family, to make a fresh start—and there is no better

¹ No. 199.

method of keeping men in service than to make it clear to them that they can leave when they like on good terms.

15. How far the Muslim soldiers of the Indian Army would support the present régime in an emergency is at least doubtful. A recent report of pro-League resolutions of Muslim airmen of the R.I.A.F. at Ambala was promptly denied; but Civil Intelligence gives reason to think that the denial was not wholly accurate. During the days of tension which preceded Id-ul-Fitr it is known that Muslim soldiers on leave were being approached in at least one district, and retired Muslim soldiers of unimpeachable loyalty are said to be affected. The danger with the soldiers as with the rest of the Muslim population is the religious appeal; Friday sermons and the influence of *Pirs* will inevitably stress the danger in which Islam now stands, and few Muslims can resist an appeal of this kind.

16. The administrative outlook is bleak. There is nothing in the record of the Coalition Ministry to suggest that it is capable of firmness, and unless it is determined (and appears) to be both firm and impartial, the administrative machine may well crumble up. It is essential that both the Congress High Command and the Interim Government should keep right out of the provincial field. If they cannot refrain from doing so, we are in for the most serious trouble. The safety-valve is the withdrawal of the Muslim Unionists from the Coalition. This would at once put the Congress out of office, and responsibility would then fall to a weak Muslim League Ministry or to the Governor under Section 93. By that time the law and order problem might be almost insoluble.

D. SUMMARY AND CONCLUSIONS

17. Provided that Muslim fears are not confirmed by attempts to govern the Punjab from Allahabad, Wardha, or New Delhi it is just possible that we may muddle through without a major upheaval. In order to achieve this result the Coalition Ministry must:—

- (a) deal now with the communal Press;
- (b) take stringent action against all violent speakers, whatever their party affiliations;
- (c) suppress private armies—the most important are the Muslim League National Guards and the Rashtriya Swayam Sewak Sangh;
- (d) suppress lawlessness of all kinds, even among their own supporters; and
- (e) make it clear by action and not by statements that District Officers will be supported in the use of their statutory law and order powers.

18. I have spoken to the Ministers with extreme frankness, and in theory they agree entirely with me. But the Congress Ministers are still more interested

in securing the release of law-breakers of their own party who, through some mischance, have been prosecuted or sent to jail, and in sniping at officials generally, than in dealing with the very serious situation which now confronts them. An Ordinance will be needed to replace the Defence of India Rules and the Ministers will probably agree to my issuing it under Section 89 of the Government of India Act, 1935. But I have little hope that they will follow a firm or consistent course, and my power to insist upon the action I believe to be necessary is limited.

19. If an upheaval occurs it will I believe begin with communal rioting in the towns on an unprecedented scale. The Sikh villagers of the Central Punjab and the Jats of the East will join in before long, and the Muslim villagers of the North and West will follow suit. A very experienced Intelligence Officer thinks that the main upheaval will be preceded by a series of political assassinations, but this is a matter of opinion.

20. Whether we can deal with major trouble depends mainly upon the absence of outside interference, and the confidence of British Officers in His Majesty's Government.

If the Punjab is treated as a Congress Province, the Muslim officials and the great majority of the Police will be unreliable. At present there is always the hope of a reconciliation or a change of Ministry. Once that hope is gone anything may happen.

The average British officer at present has little confidence in His Majesty's Government. He does not understand what the present policy is intended to achieve, but he suspects that His Majesty's Government will drift into a communal alliance with the Congress and that he will be expected to do His Majesty's Government's dirty work. Unless this suspicion is removed we cannot expect wholehearted co-operation from our British Officers, and many of them will apply to leave their services as soon as possible.

21. This is a frank appreciation; but I consider frankness to be necessary.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/PEJ/10/75: ff 357-8

IMMEDIATE

INDIA OFFICE, 31 August 1946, 11.15 pm

16025. My telegram 15940.¹

2. I have just had a telegram² from First Lord in Paris commenting on your telegram 1804-S³ and my reply 15817.⁴ His view is that compromise suggested

¹ No. 226.

² No. 230.

³ No. 208.

⁴ No. 213.

in paragraph 4 of 15817 although it might to some extent please Congress is unlikely to move them from intransigent attitude they have adopted. He thinks Jinnah on the other hand would be likely to represent it as an important departure from Statement of May 16th proposed without consultation with him, the effects of which are likely to be harmful to Muslim League. He would prefer to attempt to get Jinnah and Nehru to London now together with you to discuss position.

3. Intention of course is that you should try to induce Congress to put forward this proposition to Jinnah. It would not be an addition to Statement of May 16th by us but by agreement between parties. It seems to me to give Jinnah all he can possibly expect and I should have thought it more likely that Congress would not be prepared to contemplate it. I see, however, some force in contention that if Nehru and Jinnah are to be asked to London it may be better to have this possibility in reserve for discussion with them here.

4. In circumstances please let me have your views on the proposition in my 15892⁵ in light of First Lord's comments before you discuss it with Congress. I gather from paragraph 2 of 1828-S⁶ that you are probably doing this in any case.

5. You will not of course without further consultation with us invite parties to London.

⁵ No. 219. ⁶ No. 229.

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*Lord Pethick-Lawrence to Mr Alexander (via Foreign Office and
U.K. Delegation, Peace Conference)*

Telegram, L/PE&J/10/75: f 353

IMMEDIATE

31 August 1946, 11.25 pm

TOP SECRET

16026. Personal for First Lord from Secretary of State for India. Your telegram No. 623 of 31st August.¹ I am most grateful for your comments. Prime Minister and I yesterday² sent telegram to Viceroy asking him to put this question to Congress unless he had any comments to offer. I have now (d) shed substance of your views to Viceroy³ and have asked him to let me (e) views in light of your comments before doing so. Intention of course (b) get Congress to approach Jinnah with this proposition and not to (18. I have) lives. I think it is unlikely now that Congress will agree to it but agree entirely thought that it met Jinnah almost to the full.

2. I think it is premature at this stage to invite parties to London and I am telling Viceroy not to do this without further consultation with us.

¹ No. 230.

² No. 226.

³ No. 234.

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Mr Bevin to Mr Attlee

L/E/8/4870: ff 185a-185b

undated¹

I understand that the Cabinet Standing Committee of officials on United Kingdom Representation in India has in preparation a directive for the new High Commissioner, and that the present proposal is that the Secretary of the Cabinet will for the time being be the formal channel of correspondence between the High Commissioner and the United Kingdom Government.

While I agree that this procedure will be adequate to meet general requirements, I think that the High Commissioner (who as you know is to be appointed from the Foreign Service) will have a special function to perform in relation to foreign affairs. That being so, I think it will be essential that he should report direct to me on all questions in India affecting United Kingdom foreign policy, and receive instructions from me. The Foreign Office would also see that the High Commissioner is supplied with the material necessary to keep him informed of the general situation.

The position of the United Kingdom High Commissioner in India will not in all respects be analogous with that of our High Commissioners in the other self-governing Dominions. As part of the Asiatic continent India is contiguous with other countries such as Persia, Afghanistan, Tibet and Nepal, and is bound to have a special relationship with China. In all those countries the United Kingdom has interests more or less important, and while we do not yet know what the future status of India will be, it is essential that we should try to persuade her to walk in step with United Kingdom Foreign policy in these countries as elsewhere. I am aware that, until the India Act is repealed, the Viceroy will continue to be responsible to the Secretary of State for India for the foreign relations of India. But we do not yet know how this will work out and since, sooner or later, the United Kingdom High Commissioner will be the channel through which we shall hope to influence the Indian Government to cooperate in a common foreign policy, I think the High Commissioner should be in a position from the moment of taking office to communicate direct with me on all matters affecting foreign affairs.

¹ From Enclosure to No. 327, it would appear that this letter was dated 31 August 1946.

I am accordingly suggesting to the Cabinet Standing Committee that the directive that they have drafted for the High Commissioner should be amended in this sense.

In order to ensure coordination with the Cabinet Standing Committee which will be dealing with the High Commissioner on other matters, I would at the same time like to suggest to you that the Foreign Office member of the Committee be appointed Vice-Chairman to this Committee, whose Chairman I understand will be Sir E. Bridges.

I am sending a copy of this letter to the Secretary of State for India.

ERNEST BEVIN

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Pandit Nehru to Field Marshal Viscount Wavell

R/3/1/117: ff 215-17

18 HARDINGE AVENUE, NEW DELHI, 1 September 1946

Dear Lord Wavell,

I enclose a list indicating how portfolios should be allotted to the members of the Provisional Government. This list has been prepared in consultation with our colleagues, except two who were not present owing to illness. As I have stated in the note attached to the list, this allotment should be considered provisional and we might suggest changes after we have had some experience of the working of the various departments.

For the next week or so some of our colleagues will be absent and temporary arrangements have to be made for this period. I suggest that I might take formal charge of these portfolios for this week or ten days.

As we have made it clear, we shall welcome the cooperation of the Muslim League in the Provisional Government. If they so choose they can nominate five members of the Government. When they decide to do so five of our members will retire in their favour, and a reshuffling of the portfolios will take place so as to give them an equitable share of them.

As you know the new Government, though formed within the terms of the existing law, is in nature and formation different from its predecessors. This difference has been noted and emphasized by observers in India, England and elsewhere and it has been referred to by most people as the Interim Government. We would prefer to call it the Provisional National Government, but if you think that Interim Government is more suitable at present we have no objection. But in any event it would be undesirable to refer to it as the Governor-General's Executive Council. In any official announcements or references to be made to it,

it should be called either the Provisional Government or the Interim Government. You have yourself referred to it as such and in the intimation conveyed to us of the King's approval of our appointment it is stated that we are Members of the Interim Government.

This Government will function as a Cabinet and will be jointly responsible for its decisions.

Yours sincerely,

JAWAHARLAL NEHRU

SUGGESTED PORTFOLIOS FOR MEMBERS OF
THE PROVISIONAL GOVERNMENT

NEW DELHI, 1 September 1946

1. External Affairs and Commonwealth Affairs	Jawaharlal Nehru
2. Defence (or War)	Sardar Baldev Singh
3. Home including Information and Broadcasting	Sardar Vallabhbhai Patel
4. Finance	Dr. John Matthai
5. Communications (War Transport and Railways)	Mr. M. Asaf Ali
6. Agriculture and Food	Dr. Rajendra Prasad
7. Labour	Mr. Jagjivan Ram
8. Health	Dr. Shafaat Ahmad Khan
9. Education and Arts	
10. Legislative	
11. Posts and Air	Syed Ali Zaheer
12. Industries and Supplies	Mr. C. Rajagopalachari
13. Works, Mines and Power	Mr. Sarat Chandra Bose
14. Commerce	Mr. C. H. Bhabha

Note: 1. The above arrangement is to be considered provisional and after some experience there may be a reshuffling of portfolios and a re-arrangement of subjects under each portfolio.

2. As at present there are only twelve members available out of a total of fourteen, some portfolios have been temporarily grouped together. As soon as the two additional members are appointed, these portfolios may be separated or such other arrangements made as are considered suitable.

3. It has not been possible to consult Mr. C. Rajagopalachari and Sir Shafaat Ahmad Khan about the allotment of portfolios but, so far as our information goes, the suggestions made will be agreeable to them. A suggestion was made that Mr. Rajagopalachari might take Finance and Dr. John Matthai should take Industries and Supplies. The choice might be made by

those two themselves. We are informed, however, that Mr. Rajagopalachari is very much averse to taking charge of Finance, and so the arrangement given in the list above should stand.

4. Some of the members, namely Messrs. Rajagopalachari, John Matthai, Sardar Baldev Singh, Shafaat Ahmed Khan and C. H. Bhabha, are unable to take charge owing to ill-health or other reasons for a week or so. Some temporary arrangements have to be made for these portfolios for this week or ten days, as the case may be.

JAWAHARLAL NEHRU

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Note by Field Marshal Viscount Wavell

R/3/1/117: ff 218-19

SECRET

1 September 1946

NOTE OF DISCUSSION WITH PANDIT NEHRU 1-9-1946

1. Nehru handed me a letter¹ containing the list of Portfolios; and I agreed that they were acceptable. I asked why Matthai had been preferred to Rajagopalachari for the Finance portfolio, and he said that Rajagopalachari had telephoned to say that he would rather not take the Finance portfolio.

I said that the Government should be known as the Interim Government, not the Provisional National Government.

We agreed that the portfolio of the War Member should be known as the Defence Portfolio, provided there was no legal difficulty.

The matter of Members holding directorships came up, and Nehru said that any Members of his who were directors were busy divesting themselves of them. He himself held the directorship of a newspaper, and asked whether that came under the ban. I said that I imagined that it did.

2. I told Nehru that I should have to appoint a Vice-President to act when I was absent, I gathered he would expect to be nominated himself. He also intended, apparently, to act as Leader in the Assembly. He raised the point whether those who were already elected members of the Assembly (Asaf Ali and Sarat Bose) would have to resign and be nominated. I said that this point had been raised before by Mr. Jinnah, and I understood that it would be necessary. He said that he believed it could be done without an amendment of the 1935 Act by passing a resolution in the Assembly. I said I would look into the matter.

3. He raised the question of empty portfolios: Defence, Finance, Health, Industries & Supplies, and Commerce. I said that the normal convention was for the Governor-General to make himself responsible for empty portfolios for

a short period; and I thought that it would be better to follow this in the present instance.

4. I then mentioned the matter of interviews with Members, and told him that I intended to discontinue the practice of Secretaries having access to the Viceroy, but that I wished to continue seeing all Members at regular intervals. He agreed.

5. He then raised the question of arrangements for tomorrow, and I told him what was proposed. This seemed all satisfactory.

6. He mentioned some International Trade Conference in October, in London, and asked whether it could not be postponed. I said I had not got this one in my head.

He then spoke about the UNO Conference, and said that if the idea that he was not *persona grata* to Congress was standing in the way of Mudaliar going to the Conference, would I let him know that the Congress would be quite agreeable for him to go, in fact Nehru seemed to be anxious that he should. I said that I thought it was his duties in Mysore that were the obstacle, but that I would consider sending a message to Mudaliar in the sense he had given me.

He then suggested that K. P. S. Menon should go to the Conference as an Adviser instead of returning to China. I asked whether he had any idea of going himself, but he said that he had never been to America and was "afraid of getting entangled."

7. I said that I noticed that Jai Prakash Narain had become a member of the Congress Working Committee; did this mean that J.P.N. was going to become constitutional or that the Working Committee was going to be revolutionary? Nehru laughed and said "Both, I hope". He then said that Jai Prakash Narain was a very fine fellow, and really not at all inclined to violence. I said that his speeches in the Punjab lately could be called nothing else except incitements to revolution and violence, and that they had certainly been understood as such by those who heard them. He said that he thought J.P.N. had been badly reported. He said he would like me to meet him.

8. I then raised the matter of public speaking generally by Members of the Government, and how embarrassing it might be; I said that I thought the less public speaking there was at present, the better; there was a convention in England that the speeches of Members of Government might be held to represent Government policy. He said that he had noticed that Members of the present Labour Government often made rather embarrassing speeches. I said that that might be so, but I thought that they probably regretted it afterwards.

9. I then went on to the summoning of the Constituent Assembly. I said that I did not propose to discuss the matter at present in any detail, but that I was sure it should not be summoned until we had settled the point about Grouping. Nehru said that he agreed that it would be better that it should be settled, but that there must not be an indefinite postponement. I said that I would take an early opportunity of discussing the matter with him further.

10. I asked finally whether the Congress ban on accepting hospitality in the Viceroy's House was going to be raised, as I should like to be able to invite my Ministers. He said that he would consult the Committee and let me know, but that he himself anyway would have no difficulty in accepting an invitation. I then asked him and his sister, who is in Delhi, to dine on Tuesday night, and he agreed.

11. Nehru was quiet and friendly throughout, and seemed anxious to make no difficulties. As he left I congratulated him on his courage and statesmanship in coming into the Government, but said that it would never really be satisfactory until we got the Muslim League in.²

² Lord Wavell sent Lord Pethick-Lawrence a short summary of the principal points in this discussion in tel. 1836-S of 1 September. R/3/1/117: f 231.

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Chief Secretary, Government of Bombay to Secretary of State

Telegram, L/PEJ/8/574: f 47

IMMEDIATE

GANESHKIND, 1 September 1946, 11.50 pm

CONFIDENTIAL

Received: 1 September, 9.35 pm

No. 360/C. Communal rioting occurred in Bombay City today September 1st. Reported (?cause) is exhibition of black flags by Moslems in (?Sandhurst) Road neighbourhood. Casualties 35 killed 175 injured. Curfew imposed and other precautionary measures taken. Situation reported to be under control.

Repeated to Secretary to Governor-General (Public).

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*Fortnightly Report of the Chief Secretary¹ to the Government of Sind (Extract)**L/P&J/5/262: f 54*

No. P.-25H.(S)/46

SIND SECRETARIAT, KARACHI, 2 September 1946

1. *Political.*—The fortnight under review may be said to be one of great political activity, but so far as Sind is concerned the only achievement is a really nasty state of panic and recrimination. Outwardly the province has come through the fortnight very creditably. Beyond some very trifling incidents August 16th, Direct Action Day, and August 29th, the Id-ul-Fitr, passed off peacefully. On the latter occasion the behaviour of the Muslims showed a gratifying response to the Premier, the Hon'ble Shaikh Ghulam Hussain's appeal for calm and tolerance and a proper respect for the great festival of the Muslim year. Yet it would be idle to consider the situation as at all satisfactory. The horrors of Calcutta have begotten an attitude of sullen resentment on the one side and imbecile panic on the other. The public has yet to learn the full facts about Calcutta. But whereas Muslims resent what they consider to be attempts to make capital against the League out of a calamity in which Muslims have suffered equally with other communities, Hindus harp on the alleged insecurity of their lives and property under a Muslim League administration and demand unlimited assurances from the leaders of the Muslim League. To make matters worse there is a session of the Legislative Assembly to open on the 5th September at which the League Ministry has to face a determined effort on the part of the Coalition Party to defeat it. Feeling is certain to run high on the date when the crucial division takes place, a date which may coincide with the meeting of the Provincial Council of the Sind Muslim League. In short there are all the ingredients for panic.

In the circumstances the Sind Government instructed the Chief Secretary to issue the following press communiqué:—

"Various suggestions have appeared in the Press of Karachi that there is grave danger in the next few weeks of serious communal trouble in the City and that therefore Muslims and Hindus must be ready to defend themselves. Articles which have appeared in some papers are even a direct incitement both to Muslims and to Hindus to arm themselves and it has been suggested to Government that arms are in fact being collected and stored in certain quarters of the town. If this continues the position will inevitably deteriorate with disastrous consequences. A rumour that one community is collecting arms will inevitably lead to their collection by the other; both sides will be apprehensive of attack and so likely to try to forestall the other.

¹ Mr A. P. Le Mesurier.

Government have therefore decided to take the strongest possible measures against those who collect and store arms or who in any other way, such as drilling or spreading false rumours, propagate the idea that a communal clash in Karachi is imminent.

Government are determined to maintain the peace and have ample means of doing so. It is the duty of every citizen to help them in this task."

This was handed over to Press representatives on the evening of the 27th August. The most important point in this communiqué is Government's unambiguous declaration of its intention to maintain law and order and of its confidence in its ability to do so. It is in the background of this declaration that the arrest of 32 individuals found carrying *lathis* in the early hours of the morning of the 30th and the seizure of stored *lathis* and axe-heads after searches must be considered.

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*Remarks on the Interim Government made by Mr Gandhi¹
on 2 September 1946*

L/P&J/10/75: f 347

"The door to Purna Swaraj has at last been opened," said Mr. Gandhi, addressing a prayer gathering at New Delhi on 2nd September. The whole of India, he said, had waited, watched and suffered for years for this day. Whatever their past quarrels with the British Government they had now to thank that Government for having come to a willing understanding with the Indians' leaders. Reminding his listeners that full freedom had not yet come, Mr. Gandhi said: This would be achieved only when their uncrowned king, Jawaharlal, and his colleagues who had taken charge of the Interim Government would have rendered the true service which the people expected of them.

Though this day would be a memorable one in the annals of Indian history, it could not be celebrated with illuminations and feasting. The Muslim League had not joined the Interim Government. They were angry with the Hindus and regarded the day as one of mourning. But the Hindus must not return anger for anger or blow for blow. Congress could never ally with Britain against the Muslims. Congress had gone to the Interim Government with one object only, that of winning freedom for the whole of India, which meant for the Muslim League also. If the League insisted on looking upon the Interim Government as enemies, the latter had by their correct conduct to falsify that belief.

One of the first acts of the new Government should be to remove all vestige of the salt tax. The poorest in the remotest village would then know that

freedom had dawned. Another task was to achieve communal harmony. He was against the use of military aid in quarrels between the Hindus and Muslims. As long as they relied on British arms to protect them, there could be no real freedom. Congress had pledged itself to the complete removal of untouchability, and the spread of khadi. He appealed to the Interim Government to take up the cause of the untouchables and do what it could to remove this blot from society. The pledge of khadi had had to be redeemed in order to cover the nakedness of the people. The villages must be made self-sufficient in cloth through hand spinning and weaving. Mr. Gandhi hoped that the Interim Government would give the right lead and thus put India on the road to truth and purity and real Swaraj. In this endeavour they deserved the loyal co-operation of every Indian.

¹ This report of Mr Gandhi's remarks was sent to the Information Dept. of the India Office by the G. of I., Press Information Bureau in tel. A. 3123 of 3 September 1946.

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Mr Scott to Mr Abell

R/3/1/117: f 232

2 September 1946

Yesterday evening I went to call on Nawabzada Liaquat Ali Khan, who has been in bed for the past fortnight with an intestinal ulcer. He has been to dinner with me in the past and had sent messages apologising for not being able to ask me back, because of the diet he is on. I was with him for about an hour. Apart from general conversation, I tried to find out from him what assurances were required by the Muslim League in order to induce them to come into the Interim Government and the Constituent Assembly.

2. The following represents what he considers necessary if the Muslim League is to change its present attitude:—

(1) *For long-term proposals:*

(a) There should be a categorical statement that the Congress accept the setting-up of the sectional assemblies, where provincial constitutions will be drawn up by the section sitting as a whole, and not by the provinces themselves;

(b) There will be no opting out beforehand by a province; this is only to be possible after the first elections under the new constitution;

(c) The Union Assembly will have no power to alter Group constitutions (if any) or provincial constitutions. There will of course have to be provision for negotiation between the Union Assembly and Group Assemblies (or Provinces in the absence of a Group) about the details of how the 3 central subjects

will work out *vis-à-vis* a group or province. The Federal Court could be the deciding agent on whether any proposal exceeded the bounds of a central subject, or whether a group or province was being obstructive about the implications of a central subject.

(2) *For short-term proposals:*

(a) The issue of the Nationalist Muslim. The best way to get over this is for the Muslim League to nominate 5 members, and the Congress to accept them in replacement of the existing five Muslim members (at present only 3 appointed). If the Congress try to insist on replacing a Hindu by a Nationalist Muslim, it will show they do not really want the Muslim League to come in.

(b) The Viceroy said in his broadcast¹ that he would see that no major communal issue will be decided in Council except in agreement with majority of each community. How will this be enforced? The Viceroy should be the judge of what is a major communal issue (e.g. proposal to recruit the Army on a percentage population basis) and should promise the Muslim League that he will not accept a majority decision on such a point, if the Muslims are against it.

(c) The division of portfolios should be "equal" not "equitable".

(d) The selection of minority representatives should be done with the joint advice of the Congress and League.

Note: Nawabzada Liaquat Ali admitted tacitly that (c) & (d) were not important.

3. Liaquat Ali rather half-heartedly accused the British of alliance with the Congress against the Muslims; and said that, failing a settlement, communal disturbances in future were going to be quite different from the Congress movement of 1942. At that time the Muslims were neutral, and held back from taking any part. What he foresaw happening in future was that whenever the Muslims wanted to demonstrate, the Hindus would organize a counter-demonstration, and induce a clash, which would have to be dealt with by British troops. (It is significant that this morning's papers report that precisely this has occurred in Bombay). He said that the Congress would refuse to allow the Muslim League to go in for peaceful demonstrations, and would thereby force things to a much more serious issue.

I. D. SCOTT

¹ No. 199

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Note by Field Marshal Viscount Wavell

Wavell Papers. Notes of Important Interviews, 1943-7, pp. 256-7

SECRET

2 September 1946

HIS EXCELLENCY THE VICEROY'S INTERVIEW WITH SIR SULTAN AHMED
ON 2ND SEPTEMBER 1946

1. He came, I think, with the object of trying to negotiate a settlement between the Muslim League and Congress. He suggested that H.H. of Bhopal would make a good go-between, since both sides liked and trusted him (I registered a mental interrogation about this). He went over the old ground of the League grievances: firstly, about a nationalist Muslim; and secondly, about Grouping.

I said that although I had always tried to persuade Congress not to insist on a nationalist Muslim, I was quite unable to accept Mr. Jinnah's claim that no Muslim except a member of the League could take part in a Government, as at all reasonable, in view of the Congress Ministry in the N.W.F.P. and the number of votes cast for nationalist Muslims in the recent Elections. I said also that I could not see what harm it could do to Mr. Jinnah if the Muslim came out of the Congress quota, since I was quite sure that every Muslim would support the Muslim thesis on any vital matter of Muslim interest. Sir S. A. agreed that Jinnah was unreasonable on this point.

2. We then went on to the question of Grouping, and I said that I was fully alive to the importance of this point; and that I had always had the intention that the Grouping principle, which was the crux of the Mission's plan, should be observed. Sir Sultan Ahmed suggested that there should be an informal meeting of a few representatives of Congress, Muslim League and States, on the general procedure to be adopted in the Constituent Assembly, before the Constituent Assembly was assembled.

3. Sir Sultan Ahmed said that he was going to see Azad, who was a great friend of his, and also hoped to have a talk with Nehru. I told him that I was already discussing the matter of Grouping in the Constituent Assembly with Nehru, and that I was anxious that there should not be too many cooks, perhaps to spoil the pudding; I would, however, let him know if his mediation or that of H.H. of Bhopal would be useful.

4. We then spoke of Grouping schemes, and he said that the States had schemes worked out, but that they had not yet been accepted by the Working Committee or by the States. He said that the Chancellor was very much against discussions between representatives of the Orissa States and the Orissa Government.

I said that I did not see how discussion on administrative matters could hurt; but he seemed anxious lest Mayurbhanj, for example, should be encouraged to take action on his own.

He said that the process of making constitutions in the States, with a non-official majority in every instance, was making rapid progress; and that States had been asked to submit schemes within three months.

5. He then spoke of the States representative at the U.N.O. He suggested Sir Ramaswami Aiyar; but, on learning that the proceedings were likely to go on into November, said that it would be impossible to spare him for so long as he was wanted for the Negotiating Committee. He said that they were considering the Constitutional Adviser in Hyderabad¹ (a very good young fellow, whose name has slipped out of my head for the moment) as a possibility.

He said that they were going to ask Sir R. Mudaliar to serve on the Negotiating Committee.

W.

¹ Nawab Ali Yavar Jung Bahadur.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, Wavell Papers. Political Series, June–December 1946, p. 175

CONFIDENTIAL

3 September 1946

No. 16096. Your telegram No. 1789-S of 27th August.¹ I agree with your advice to Governor of Bombay that casual vacancies in Constituent Assembly should be filled by procedure decided upon by Constituent Assembly itself. We cannot I suppose prevent Bombay Legislature from conducting a bye-election but I think no official recognition should be given to it. While a bye-election or a vacancy in majority party representation presents no particular difficulty if a vacancy occurs in a seat held by a minority representative within general constituency it would not be possible to secure a similar representative by direct election. If for example Ambedkar withdrew general constituency in Bengal would elect either a Congress Scheduled Caste or a Congress Hindu. The only method of securing a person of same colour that I can think of is to prescribe that election shall be by those members of Legislature who cast their first preference votes for member of Assembly who has retired.

2. I make these points by telegram because I see from note of your interview with Azad of 12th August² that he raised question whether bye-elections could be held in Bengal to enable Congress to substitute 2 new representatives for 2 of their existing members and you undertook to consider the position. If

Bombay Legislature holds this bye-election Congress may proceed in the same way in Bengal and it may be worth explaining to Azad the obvious complications in case of vacancies in seats held by Independents within general constituency.³

¹ In this telegram Lord Wavell reported that one of the members elected to the Constituent Assembly from the Bombay Legislature had resigned. He had advised Sir A. Clow that the filling of casual vacancies should be left for the Constituent Assembly to decide, but the Govt. of Bombay had decided to proceed with the filling of this vacancy in spite of the opinion of their own Legal Remembrancer that the validity of the election would be doubtful. Wavell Papers, Political Series, June-Dec. 1946, p. 134.

² No. 176; the date should be 19 August.

³ A summary of Lord Pethick-Lawrence's views, as given in this telegram, was sent by Mr Abell to all Governors' Secretaries in a letter dated 5 September 1946. Wavell Papers, Political Series, June-Dec. 1946, pp. 177-8.

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Mr Menon to Mr Abell

R/3/1/124: ff 88-9

NEW DELHI, 3 September 1946

My dear Abell,

Please refer to your secret d.o. letter No. 592/58 dated the 30th August¹ about the grouping formula.

2. In the Statement of May 16, there is no question of compulsory grouping. What the Statement intends is that the Provincial representatives will enter the respective Sections in which they are placed; that the Sections will frame provincial constitutions; that Sections will also decide whether there are to be Group constitutions and, if so, frame such Group constitutions. The provisions of the provincial constitutions and the question whether there should be a Group constitution are matters to be determined by the majority vote of the representatives of the provinces in a Section sitting together.

3. At one stage the Congress Working Committee interpreted para. 15 of the Statement of May 16 as meaning that, in the first instance, the respective provinces would make their choice whether or not to belong to the Section in which they were placed. This extreme position has now apparently been given up since Pandit Nehru criticised² the Assam resolution which directed the Assam members of the Constituent Assembly not to take part in the proceedings of the Section. The present position of the Congress, as stated in the

¹ Enclosing a copy of No. 219 and asking Mr Menon to advise after consultation with Sir G. Spence. R/3/1/124: f 61.

² See Enclosure to No. 106.

Working Committee's resolution accepting the Statement of May 16, is that they accept the position that provincial representatives have to enter into Sections but that a province can act according to its choice in regard to grouping and is not bound to accept the majority decision of the Section on this issue. Congress is however prepared to refer this question to the Federal Court and abide by whatever decision the Court may give.

4. In Maulana Azad's letter to H.E. of 20th May³ the underlying fear of the Congress in entering into a Group is expressed in the following terms:—

"As Sections B and C have been formed it is obvious that one province will play a dominating role in the Section, the Punjab in Section B and Bengal in Section C. It is conceivable that the dominating province may frame a provincial constitution entirely against the wishes of Sind or the N.W.F.P. or Assam. It may even conceivably lay down rules, for elections and otherwise, thereby nullifying the provision for a province to opt out of a group. Such could never be the intention as it would be repugnant to the basic principles and policy of the scheme itself".

5. On the other hand, the Muslim League attitude is that, in providing for different Sections, we had in mind the position of the Pakistan provinces. The League would be at an advantage (and that has been the intention) inasmuch as in Sections B and C the decision is left, both as regards the provincial constitutions, and on the question of grouping, to the majority in the Section itself. From the point of view of the Muslim League this is vital.

6. With this background let us now examine the compromise formula suggested by the Secretary of State. Its features are—

- (i) that the Union Constituent Assembly will have nothing to do with the procedure for the framing of the Group or Provincial constitutions;
- (ii) that the decision as to whether there should be a Group constitution will be taken by majority vote in the Sections;
- (iii) that decisions as to the provisions of the Group constitution—if it is decided to form one—will likewise be taken by majority vote in the Sections;
- (iv) that decisions in regard to the provisions in the provincial constitutions will be taken in the Sections but will require the consent of a majority of votes of the representatives of the province concerned;
- (v) that provincial constitutions need not be uniform but each of them must conform to the requirements of the respective Group constitution, if any, and must not trench on the sphere of authority of the Group. Insofar as this requirement is concerned, the provisions of the provincial constitutions will be determined by majority vote of the respective Sections; and

- (vi) that the right of any province to opt out of the Group under the procedure laid down in paragraph 19 (viii) of the Statement of May 16 is maintained.

7. The Secretary of State has accepted H.E.'s view that any compromise now effected should be between the Congress and the Muslim League and should not be effected by way of modification of the Statement of 16th May. The latter course is to be deprecated mainly because, once we make an amendment to the advantage of one party or another, we could not afford to ignore a host of claims which are bound to be put forward by other interested parties, especially the Sikhs. On the other hand, if there is a *concordat* between the Congress and the Muslim League on this issue, a departure from the provisions of the Statement of May 16 is permissible under the Statement itself.

8. So far as the Congress is concerned, its main objection to grouping is met by the provisions that the will of the provincial representatives is not overborne by a majority in the Sections insofar as the provisions of the provincial constitution are concerned. Again, the Congress case is itself a weak one. Sir George Spence who independently examined the question of grouping was of the view that the State Paper definitely intended that the question whether there should be a Group or not was to be decided by the majority vote in the Sections and not by the provinces. In the correspondence which passed between the leaders and the Cabinet Delegation and H.E. this position has been made quite clear, and if the matter is referred to the Federal Court, I have no doubt in my own mind what the decision will be.

9. On the other hand, Mr. Jinnah does not want an issue like this to be decided by the Federal Court because from his point of view grouping is the whole crux of the problem. He will certainly not like the provision that in the framing of the provincial constitutions the decision of the majority of the provincial representatives affected must decide the issue. The only chance for Mr Jinnah to get his Pakistan in a modified form is to insist that both the provincial constitutions and the grouping question should be decided by majority votes in the Sections. Just as the Congress have argued that if the Sections frame the provincial constitutions they will make it difficult for the provinces effectively to exercise their right of opting out, similarly, Mr Jinnah may argue that if the representatives of provinces like the N.W.F.P. and Assam have a decisive voice in the framing of the provincial constitutions, they may make the process of opting out easier. I think therefore that, while the formula proposed by the Secretary of State may be acceptable to the Congress, it will not help to bring in the Muslim League.

10. A more helpful line of approach will I think be somewhat on the following lines. The Congress should be persuaded to agree that the Sections should

decide the question of grouping, and if the majority is in favour of grouping a Group constitution should be framed; but the right to opt out of a Group will be exercised not by the Legislature of the province after the first general elections under the new constitution but by a plebiscite of the adult population of the province. This will meet the Congress fear that Sections will so frame the provincial constitutions as to make it difficult for a province to exercise its right of opting out: on the other hand, the League cannot reasonably object to this, because Mr Jinnah himself put forward this suggestion in his letter of the 22nd May 1946.⁴

11. Incidentally there is one point in the Secretary of State's formula on which I am not clear. The formula provides that insofar as the provincial constitution must conform to the provisions of the respective Group constitution, if any, a decision should be taken by the Section as a whole. But the first point about the formula is that the Union Constituent Assembly will have nothing to do with the procedure for the framing of the Group or provincial constitutions. The arguments for reconciling the provincial with the Group constitutions will apply equally strongly to the need for reconciling the provisions of the provincial as well as the Group constitutions with the provisions of the Union constitution.

12. Sir George Spence has not come to office (I understand he is ill) and I have not been able to consult him.

Yours sincerely,

V. P. MENON

P.S. Since writing this letter I am informed on reasonably good authority that the Congress have already started negotiations with the Muslim League. My information is that Birla has contacted Liaquat Ali Khan and I will, if possible, get the news confirmed. If this is so, we need not force the pace at present.

⁴ The reference is to Mr Jinnah's Statement of 22 May 1946. See Vol. VII, No. 360, p. 665, para. (4).

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Minutes by Mr Abell and Field Marshal Viscount Wavell _

R/3/1/124: ff 90-1

3-4 September 1946

These are the papers about Grouping. I suggest Y.E. should start by re-reading the following:

(i) Original statement of the Secretary of State's formula in para. 4 of the telegram of 28th August.¹

(ii) the S/S's fuller statement of the formula in his telegram of the 29th August.²

(iii) the S/S's telegram of the 31st August³ in which he states the view of the First Lord that the formula would not satisfy Jinnah, and that it would be preferable to get Jinnah and Nehru to London.

(iv) Nawabzada Liaquat Ali Khan's statement of the long term requirements of the Muslim League as given to DPSV in para. 2 of DPSV's note of the 2nd Sept.⁴

(v) Mr Menon's letter of advice dated to-day.⁵

2. I agree with Mr. Menon that the clear intention of the Statement of May 16th is that

(a) the Provincial representatives will enter the sections in which they are placed;

(b) the Provincial Constitutions will be framed by the sections sitting as sections;

(c) the question whether there will be group constitutions, and the framing of the group constitutions will be decided by the sections sitting together.

3. The S/S's formula goes back on (b) above, and in effect allows the provincial constitutions to be framed by the representatives of the provinces in the Constituent Assembly.

I agree with the First Lord and Mr. Menon that the Muslim League would be unlikely to accept this. The two Provinces mainly concerned are the NWFP and Assam. The effect of the S/S's formula would be that the constitution for the NWFP, except in so far as it was affected by the group constitution, would be decided by three Muslim representatives, one of whom is Maulana Abul Kalam Azad who does not come from the Province at all. Two of the three NWFP representatives are Congress men and the NWFP constitution could be so framed that it would be certain that the Legislature of the Province would decide to opt out of the group when the time for exercising the option came.

4. It is perhaps an unsatisfactory feature of the Statement of the 16th May (as I understand its meaning) that the provincial constitutions are framed by the sections as a whole. This is however a point that is of great importance to Jinnah and I do not think we shall get in the Muslim League if we give way on it. We cannot go back on the intention of the Statement.

5. Mr. Menon's alternative suggestion in para. 10 of his letter is that the Congress should be persuaded to agree that the sections should decide the question of grouping and should frame the group constitutions, if any, but that the right of opting out of the group should be exercised by a plebiscite of the adult population. I am against this proposal. In the first place it is a definite amendment of the Statement of May 16th (para. 19(viii)), and secondly I am

¹ No. 213.

² No. 219.

³ No. 234.

⁴ No. 242.

⁵ No. 245.

sure that a plebiscite in the conditions of India as they will be when the question arises will lead to very serious disturbances in any Province where it is attempted. It may be true, as Mr. Menon says, that the League would not object to this amendment in view of what Mr. Jinnah said in his first reactions to the Statement. He said: "After the constitutions of the Pakistan Federal Government and the provinces are finally framed by the constitution-making body, it will be open to any province of the group to decide to opt out of its group, provided the wishes of the people of that province are ascertained by a referendum to opt out or not."⁶ Here he is quoting from the proposals that he made to the Congress during the Simla Conference this year.

If the Congress and the Muslim League were to agree to this procedure it could be accepted as an agreed modification of the statement of May 16th, but in view of the grave administrative dangers I do not think *we* should put it forward.⁷

6. Mr. Menon is right in saying in para. 11 of his letter that there may be difficulty over the right of the Union Constituent Assembly to ensure that the group constitution does not infringe on the proper field for the Union. This is the sort of thing which can be referred to the Federal Court and apparently the League would not mind this. I doubt whether the S/S's formula need be amended to provide for this.

7. To sum up. I think Y.E. should telegraph to the S/S and propose that you should put to the Congress the S/S's formula with the following amendment:

Instead of sub-para. (ii)⁸ the following should be substituted as an addition to sub-para. (i):—

"(c) The provisions of the Provincial Constitutions."

8. If Y.E. agrees I will draft accordingly. The draft should show that apart from the Calcutta disaster and the very serious riots in Bombay, there are most disquieting reports from the Governors of the Punjab and the U.P. about the high state of communal tension in these critical Provinces.

G. E. B. ABELL

3.9.1946

I think this is right and what we should put to S. of S. but I do not believe Congress will accept it, certainly not except under extreme pressure and firmness from H.M.G. Draft now to S. of S.

Have you any confirmation of Menon's postscript?⁹

W.

4/9

⁶ See Vol. VII, No. 360, p. 665, para. (4).

⁷ Lord Wavell minuted here: 'Agree'.

⁸ See No. 219.

⁹ There is no reply by Mr Abell to this question on the file.

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*Field Marshal Viscount Wavell to Lord Pethick-Lawrence**Telegram, L/S&G/7/263: f 19*

IMPORTANT

NEW DELHI, 3 September 1946, 1.30 pm

Received: 3 September, 1.30 pm

No. 1843-S. Your telegram 14985 of August 15th, last paragraph.¹ You will now have received as well as Home Department's telegram 7107 of August 15th their letter in similar terms of same date.²

2. Unless H.M.G. are prepared to arrest progress of constitutional reform and decide to continue British rule for at least 15 to 20 years, I am of opinion that there can be no question at any time or in any circumstances of resuming recruitment to Secretary of State's Services.

3. Resumption of recruitment would be viewed with suspicion by Indian opinion, which would deduce from it an intention to prolong H.M.G.'s control indefinitely. It would raise the question of compensation for new entrants on termination of service, about which Indian opinion is irritable. It would tend to further weakening of administration, since Ministries would be confirmed in their distrust of Services.

4. The withdrawal of Secretary of State's control must occur before any recruits now appointed could become an effective reinforcement of administration and perhaps even before they could be appointed.

5. You will no doubt let me know what considerations determined present decision not to commit H.M.G. to make no further recruitment, which is at variance with what I had been led to expect from your telegram 14186 of August 2nd.³ I strongly urge however that it should be reconsidered in view of above, and of fact that my recommendation to discontinue recruitment entirely was supported by unanimous advice of my Council, composed of members of principal Service concerned.

6. An announcement now that there would be no further recruitment would emphasize H.M.G.'s determination to proceed with reforms and would help in inducing in Indian parties a realistic attitude to present position.

¹ See No. 149, note 5.

² The telegram, and the letter of 16 August, conveyed formally the Governor-General in Council's recommendation that there should be no further recruitment to the Secretary of State's Services including appointments to war reserved vacancies. The Secretary of State's decision was asked for by telegram. L/S&G/7/263: ff 40, 30.

³ No. 109.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/PO/10/23

PRIVATE AND SECRET

THE VICEROY'S HOUSE, NEW DELHI,

3 September 1946

Many thanks for your letter of the 28th August.¹ There was never any real crisis over my statement to Gandhi and Nehru² that I would not summon the Constituent Assembly until the grouping question had been decided—merely a bad-tempered letter³ from a tiresome old man. I have not withdrawn from my position; and as I have explained in my last telegram,⁴ I am quite sure it is right. Until we have got the long-term question settled we have not begun to solve the basic problem, and it is useless to pretend that merely by calling together a Constituent Assembly we can make any progress. I read somewhere recently of a policy described as “a non-descript mixture of expediency and pious hope”, which as the writer justly observed got one nowhere; and Sagittarius of the *New Statesman*, in a parody of Blake’s “Jerusalem”, included the following lines:—

“Bring me my staff of wishful thought”.

That is about all we have to lean on until we get a settlement about the grouping question. Even our present welter of communal riots is a fool’s paradise compared with what we shall have if we push ahead without securing any agreement of the great mass of Muslims.

The truth is that our Statement of May the 16th seems to have left the crucial question of the Groups more open to misrepresentation than I thought. I am sure all members of the Mission will agree that the basic principle of the Mission’s whole plan was that while the Hindus could have their united India, the Muslims must have the Groups. The population basis was chosen in preference to the basis of representation in the present Legislatures in order that there should be no doubt about the dominance of the Muslims in Groups B and C. If the Congress think that by legal cleverness they can achieve both a United India and a destruction of the Groups they are being very foolish; I have told them so, and I have recently seen some signs of a realisation of this fact. Again, the Muslims on the other side appear to want a settlement. I will telegraph to you soon about your useful suggestions for a formula,⁵ and we must then go ahead with an approach to Jinnah.

I am glad to learn from the postscript to your letter that your answer to Simon did not mean that the Government intended the basic proposals of the Mission to be changed without agreement by both parties. A firm and

determined statement by His Majesty's Government to this effect might change Jinnah's attitude.

2. The swearing-in ceremony of the new Government, or rather of the seven members who were able to attend, went off well. Nehru seemed a little depressed and overwhelmed but he produced no fireworks except a very quiet "Jai Hind" at the end of the last oath. It was spoken in no offensive way, though I must admit that the associations of the phrase are offensive to me.

I said a few words of welcome. I started however by saying that though this was a great step forward it was not *the* step which was required, because a coalition had not yet been achieved. I thought a great deal would depend on the spirit in which the new Government undertook its task, and I was sure that it would be in no communal or party spirit. If so, it would be a disastrous failure. I congratulated the new members on their statesmanship in accepting office, and said that I recognised the risks to the popularity and solidarity of the Congress that were involved in the decision. While I would remember the political and administrative difficulties that would beset the new members of the Government I hoped they would remember my burden of ultimate responsibility to the British people through yourself and Parliament, a responsibility of which I could not divest myself so long as the present constitution remained.

After I had finished Nehru said a few words. He said that he and his colleagues had come into office with the principal intention of working as before for the independence of India but that they were thinking of the whole of India and not of any one section or group. He took a similar line in a quite unwontedly sensible Press conference which he gave the same evening.⁶

The Muslim protests on the day of the swearing-in were peaceful except for the trouble in Bombay which seems to have been firmly and well handled. We have been lucky to get through Id and September the 2nd without more trouble.

3. I am sure it would be a great mistake to accept Agatha Harrison's suggestion that Nehru should broadcast to the U.K. The general policy I want to adopt, and I am sure Patel and others sympathise with it, is to get Nehru to say as little and as seldom as possible, because crowds and Press conferences always go to his head, and the microphone might do the same. I am not sure whether he is contemplating going himself to the U.N.O. meeting, he told me he did not fancy the idea, but I have heard from other sources that he is considering it. Since I last wrote, he told me that if it was the idea that he was *persona non grata* to the Congress that was holding back Mudaliar, I could

¹ No. 214.

² See No. 205.

³ No. 207.

⁴ No. 231.

⁵ Nos. 213 and 219.

⁶ See L/P&J/10/75: f 348.

assure him that he would be glad to see him there. Indeed he seemed quite anxious that he should go. But I do not feel that I can press Mudaliar further.

4. Spens has come down from Simla very promptly in answer to a request that he should preside over a commission of enquiry into the Calcutta riots. He is prepared to do this, and we have put preliminary points to Burrows about composition, powers, etc.⁷ The appointment of the Commission will of course have to be made by the Bengal Government. The Woodhead Commission was appointed by the Central Government, but that was done under war-time powers which are due to expire at the end of this month.

Suhrawardy shows signs of wanting to secure a coalition Ministry. It would be a great improvement. It is said that he is going off to discuss the matter with Jinnah, but I doubt whether Jinnah will be ready to accept this unless at the same time a Coalition at the Centre can be secured.

5. I send in this bag a pungent appreciation by Jenkins of the position in the Punjab.⁸ It indicates as clearly as anything could do how necessary it is to tackle the long-term problem at once and to demonstrate that His Majesty's Government are still concerned to do justice between the communities. It also shows very clearly that we must have a policy to follow if our present efforts to secure a Coalition Central Government and a new Constitution do not succeed. I will submit my proposals as soon as Auchinleck comes back and has seen them.

6. We have exchanged telegrams about the food situation which is undeniably serious. I know we can rely on you as in the past to do everything you can to secure imports for us. Madras have been pressing very strongly indeed for more rice, and have complained that they are being penalised because they administer their food supplies efficiently. Similar complaints have come in from Bombay, but the truth is that everyone is short now, and the crisis over rice will continue till the end of the calendar year.

I expect strong criticism from the new Government about His Majesty's Government's failure to secure more rice from Siam (owing to the long delay over the demand for free rice as reparations) and from Java.

7. I note what you say about Runganadhan, and I will discuss the question of a change with Nehru at some suitable opportunity. Hydari, who is now going on leave, has made it extremely clear that he would like the job, and I think he is the sort of person who might do it very well. But I do not know what Nehru's reaction would be. He told me he had a good opinion of Hydari.

8. The first file I received from a member of the new Government was one about South Africa from Nehru. He is quite definite that we cannot make an approach to Smuts on the lines suggested by you.⁹ I was afraid that this would be his opinion.

9. The Report of the Commission of Enquiry into the R.I.N. Mutiny has been received and will be examined by the new Defence Minister. It is not at all pretty reading, and shows that the men were badly handled by a not very good lot of officers. It is clear that the R.I.N. must be built up again and new traditions created; though the present communal atmosphere makes it remarkably difficult to undertake the task with confidence now.

10. In case you have not received the full list, I enclose a list of the portfolios as at present distributed.

Enclosure to No. 248

PRESS NOTE

The portfolios of the New Interim Government have been distributed by His Excellency the Governor-General as follows:—

External Affairs and Commonwealth Relations.	Pandit Jawaharlal Nehru.
Defence	Sardar Baldev Singh.
Home including Information and Broadcasting	Sardar Vallabhbhai Patel.
Finance	Dr. John Matthai.
Communications (War Transport and Railways).	Mr. M. Asaf Ali.
Agriculture and Food	Dr. Rajendra Prasad.
Labour	Mr. Jagjivan Ram.
Health, Education and Arts	Sir Shafaat Ahmad Khan.
Legislative—Posts and Air	Syed Ali Zaheer.
Industries and Supplies	Mr. C. Rajagopalachari.
Works, Mines and Power	Mr. Sarat Chandra Bose.
Commerce	Mr. C. H. Bhabha.

The members will be sworn in and the Government will take office tomorrow morning, September 2nd, 1946.

⁷ See Nos. 217 and 223. ⁸ No. 233.

⁹ In tel. 15322 of 21 August, Lord Pethuck-Lawrence passed on to Lord Wavell a proposal which had found favour with some leading Indians of moderate views in South Africa. This was that Field Marshal Smuts might be persuaded to discuss the possibility of a new agreement on Indians in the country on the understanding that the Government of India would drop their reference to the U.N.O. L/P&J/8/305.

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Mr Griffiths to Lord Pethick-Lawrence

L/PEJ/7/10500: ff 8-10

101, CLIVE STREET, CALCUTTA, 3 September 1946

Dear Lord Pethick-Lawrence,

When I last saw you, you were good enough to tell me that you would always welcome communications from me on Indian affairs. I send herewith a copy of a note which I have just written on the immediate Political Situation, which may, I think, be of interest to you. On some points it is critical of the work of the Cabinet Mission and that of H.M.G. but I am sure that you will not resent this and that you would wish me to write quite frankly. Moreover, my criticisms are tempered by the belief that even the archangels would find the problem insoluble.

2. I should perhaps add that the views contained in this note are purely my own and do not necessarily represent those of any Party or community.¹

Yours sincerely,

P. J. GRIFFITHS

Enclosure to No. 249

Indian Political Notes—New Series No.

2 September 1946

A. The Present Situation.

Shortly before the visit of the Cabinet Mission to India, that country was considered by many competent observers to be in a dangerous and intolerable condition. Administration was breaking down, subversive forces were very active and the stage seemed set for trouble on a large scale.

The coming of the Mission convinced many Indians, for the first time, of British sincerity and there was a noticeable slackening of the emotional tension. The Mission appeared to achieve a great success; Congress and Moslem League alike accepted the plan for a Constituent Assembly and to those not in touch with Indian politics from the inside, it must have seemed that a compromise had been reached even on the crucial issue of Pakistan. The general feeling in England was well put to the writer by a working man in an English public house in June, in the words "What a good thing that those Indian chaps have come together at last! Now we can forget India and think of Palestine and Russia."

Two months have passed since then and now, even apart from the terrible happenings in Calcutta in August, it is clear that we are as far from a settlement as ever. The Indian problem has become a nightmare.

What has happened to produce this sudden change? Or is it the case that the appearance of a settlement was merely illusory, and that we have now awakened to the reality?

The answer would appear to be, partly that the settlement was illusory—that the two parties were agreeing to two entirely different things—and partly that the situation has deteriorated as a result of mismanagement. These two statements will be explained below.

B. The Task of the Cabinet Mission.

The Mission and the Viceroy set themselves two problems—

- (1) To set up the Constituent Assembly,
- (2) To establish an Interim Government, with the support of the major political parties.

The attempt to deal with these two separate problems at the same time always appeared to the writer to be a mistake. The attempt was sought to be justified, first by the belief that if the two parties developed the habit of working together in an Interim Government it would facilitate a permanent settlement—and secondly by the fact that administration was breaking down and that the Central Government seemed to have lost its grip.

The first of these arguments, though sponsored by such an authority as Mr. Amery, contained a large element of what must be described as “putting the cart before the horse”. Both the main political parties regarded the Interim Government mainly as something likely to affect the permanent constitution or as Mr. Jinnah often put it, to prejudice the long term issue—and it was, therefore, always inherently improbable that there would be any lasting genuine agreement about the Interim Government until the parties were actually co-operating in the Constituent Assembly. In the writer’s view, the attempts to form an Interim Coalition Government should have been postponed until a later stage—and this view was in fact pressed on the Cabinet Mission.²

As regards the second reason for pressing on with the formation of an Interim Government, the logical conclusion from it would seem to be that any proposed

¹ Minuting on this letter indicates that Lord Pethick-Lawrence initially intended to circulate Mr Griffiths’ note to Mr Attlee and the other members of the Cabinet Mission. On 16 September, however, Mr Clouston minuted: ‘S/S thinks it is hardly worth circulating after all.’

On 17 September Lord Pethick-Lawrence wrote to Mr Griffiths and thanked him for the note. He hoped Mr Griffiths would write again whenever he had anything to say which he felt was of sufficient importance. L/P&J/7/10500: f 2.

² See Vol. VII, No. 98.

Interim Government must be judged by two tests—namely (1) Would it in fact bring the Moslems and Hindus closer together—(2) Would it help the law and order situation, pending the framing of the permanent constitution?

Neither of these results was likely to be achieved by the establishment of a one Party Central Government—and certainly the present position in which the Moslem League is holding aloof both from the Interim Government and from the Constituent Assembly, is not likely to conduce to either result. It may well be that the attempt to press on the formation of an Interim Government has wrecked the chances of success of the Constituent Assembly.

C. The Constituent Assembly. Here the Cabinet Mission had to deal with two sets of views, which not only *seemed* to be irreconcilable, but were in reality so. The Moslems were saying in effect "We will not play in any constitution which does not partition India" and the Hindus were saying "We will not play in any constitution which does partition India." In the view of the writer no compromise between these two conflicting views either was or is possible and there is very little doubt that in the end, either H.M.G. will have to take a clear-cut decision between them or to leave it to the people of the country to fight it out by the sword.

The Cabinet Mission, however, made a praiseworthy and ingenious attempt to find a compromise. They began by analysing the Moslem League's demands under two sub-heads, namely (1) that the Moslem majority Provinces should be grouped together—one Group in the North East and one in the North-West—and (2) that there should be no Central Government but that all Governmental powers should be exercised by Provinces. The Cabinet Mission accepted the first Moslem claim to some extent, in that they grouped the Provinces together, in a manner agreeable to the Moslems, for the purpose of the Constituent Assembly—though they did indeed provide, that the Provincial Governments could contract out of the Groups after the new constitution came into operation. As regards the second Moslem claim, the Cabinet Mission held that it was essential to have a Central Government to deal with certain matters and they accordingly laid down that there should be a Central Government dealing with defence, foreign affairs, communications. Neither party likes this settlement—but it was so ingenious that it was not easy for either party to reject it without laying itself open to the accusation of unreasonableness. Mr. Jinnah accepted it only as the first step towards Pakistan, but nevertheless made it clear that he intended to work it honestly. The Congress, after formally accepting it, at once began to practise their traditional tactics. They began by claiming that the Constituent Assembly would be a sovereign body, answerable to nobody. This may at first have appeared to be purely academic, but the motive behind the claim became clear when certain Congress leaders went on to announce that they would not abide by the proposed grouping. If the Constituent

Assembly was in fact to be a sovereign body, what could prevent the Hindu majority in it from deciding to abolish the grouping system? If such a procedure were to be possible, the principal consideration which had induced the Moslems to accept the proposal for the Constituent Assembly would be nullified.

This, however, was not the end. Congress spokesmen went on to make it clear, that the severe restriction of the powers of the Central Government could not be taken literally. Defence, they said, must really include control of those industries on which defence depends, while as for foreign affairs they must necessarily include control of foreign commercial agreements and so of commerce generally. Bit by bit, Congress spokesmen made it clear, that they intended so to interpret the clauses defining the powers and methods of work of the Constituent Assembly as to nullify the concessions which had induced the Moslems to accept it. Congress seemed determined to turn the Constituent Assembly into a body designed to form a unitary constitution for India, with a fairly strong Central Government.

The Moslems were profoundly worried by this change of front on the part of the Congress and by the somewhat nebulous attitude of the H.M.G. in relation to it. It is true that certain statements and speeches were made on behalf of H.M.G. calling attention to the unsoundness of the Congress point of view; but they were never full-blooded and carried little conviction either to Moslems or to impartial observers. What was required was a categorical statement that the Constituent Assembly was in fact bound by the exact terms of the Cabinet Mission's statement and that if it departed from those terms it would be suspended. No such statement has in fact ever been forthcoming. At a later stage when the curious volte face of the British Government over the plan for an Interim Government was under discussion by the Moslem League, the nebulous attitude of H.M.G. towards this Congress attempt to misinterpret the provisions of the Cabinet Mission's statement became of great importance. Certain Moslems then urged that the Moslems should still remain in the Constituent Assembly and wait for the Congress to put themselves in the wrong by departing from the conditions laid down by the Cabinet Mission—the Moslems could then appeal to H.M.G. to intervene at once. Other Moslem leaders felt, however, that once they had entered into the Constituent Assembly, if the Hindu majority departed from the intention of the Cabinet Mission, the Moslems could not rely upon H.M.G. to stand by their original statement. In the absence of a full-blooded statement from H.M.G. on this point, one cannot help sympathising with the Moslem point of view.

D. The Interim Government. Far more serious however was the mishandling of the situation with regard to the formation of an Interim Government. H.M.G. had, in effect, invited the co-operation of the Congress and the Moslem League in the formation of an Interim Government and had said that they

would go ahead with the support of any party which was ready to co-operate. (*Vide* para. 8 of the Cabinet Mission's statement of 16th June 1946).

In due course the Congress, while accepting the proposals for the Constituent Assembly, rejected the invitation to co-operation in the formation of an Interim Government, while the Moslems thereafter accepted both the proposal for an Interim Government and that for the Constituent Assembly. According to their previous promise, H.M.G. and the Viceroy were bound to go ahead and ask the Moslem League to form an Interim Government. Appalled, however, at the idea of setting up a minority Government, they asked for a breathing space on the ground that everybody was tired, rejected the offer of the Moslem League and then in due course proceeded to invite the Congress to form an Interim Government. Attempts have been made to explain away this breach of faith on legalistic grounds, but those attempts have convinced neither Europeans nor Moslems nor indeed impartial Hindus. The exact words of the relevant paragraph 8 of Page 44 of the statement runs as follows:

"In the event of the two major parties or either of them proving unwilling to join in the setting up of a Coalition Government on the above lines, it is the intention of the Viceroy to proceed with the formation of an Interim Government which will be as representative as possible of those willing to accept the statement of May 16th."

The words in that paragraph can only have one meaning, namely that if the Congress declined to come into the Coalition Government, the Viceroy would ask the Moslem League and conversely if the Moslem League declined the Viceroy would ask the Congress to go ahead. A reasonable view is that the promise to go ahead with whichever party would co-operate in the formation of an Interim Government should never have been given—such a promise was indeed contrary to the advice pressed upon the Cabinet Mission by the writer of this note—nevertheless the fact remains that the promise was made and that H.M.G. or the Viceroy subsequently resiled from it. A frank admission of error and a manly statement that the promise should never have been made, might have been accepted by the more thoughtful among the Moslems but the casuistical attempt to explain the promise away has merely exasperated Moslems throughout India and destroyed any faith which they might have had left in the bona fides of H.M.G. It has convinced them—and many Europeans also—that H.M.G. will go to any length to appease the Congress Party and that little importance is to be attached to the various promises given in the past to protect the interests of other communities.

This action, together with the somewhat nebulous attitude of H.M.G. with regard to the Congress mis-interpretation of the Cabinet Mission's statement, has thoroughly alarmed the Moslems and has convinced them that unless they can force a change of policy, the Constituent Assembly will merely lay the

foundations of a Unitary Government in which the power will be exercised by the Hindu majority. This is the real significance of the recent Moslem League decision to stand aloof from the Constituent Assembly.

E. The Moslems' Demand. It is the writer's belief that neither H.M.G. nor the Viceroy has ever appreciated the emotional strength of the Moslem demand for Pakistan, while, on the other hand, they have consistently over-rated the practical difficulties of partition. The arguments usually instanced to support the view that Pakistan is impracticable, can be reduced to two main heads.

(i) *That Pakistan would not be an economic unit.*

It is difficult to understand why this should be asserted of one of the richest areas in India. It is true that East Pakistan would not initially be an industrialised country, but its agricultural resources would be considerable and with jute and tea as the foundation of its export trade, it would not be by any means the poorest independent kingdom in the modern world. The only serious analysis of the economic aspect of Pakistan known to the writer is that by Coupland.³ That writer, who is by no means unduly favourable to the idea of Pakistan, comes to the conclusion that if Eastern Pakistan included Calcutta, it would have a balanced economy, but that if Calcutta were excluded, Pakistan "could only provide the minimum needs of defence by a fall in their standard of living and a sacrifice of social advancement." Coupland goes on to point out that "material considerations are not always the decisive factor in national policy" and it is more than likely that the Moslems would willingly suffer "a fall in their standard of living and a sacrifice of social advancement" in order to obtain their desire; they would be rather poor in Pakistan, than better off in a united India.

If the Moslems failed to secure the inclusion of Calcutta in Pakistan, the absence of a major port would undoubtedly be a handicap but other countries in recent times have managed to survive a similar disadvantage.

To either of the two arguments suggested in this paragraph, Mr. Jinnah would undoubtedly reply with the parallel of the Balkan countries, particularly as they were before the second decade of this Century. It is difficult to see why East Pakistan should be considered a less practical proposition than were Bosnia, Herzegovina, Montenegro and so on.

(ii) Secondly, it is stated that India could not survive without a common centre for purposes of defence, customs, communications and foreign affairs.

The statement seems to overlook

(a) The analogy of the Balkans,

(b) The fact that independent countries of Pakistan and Hindustan might

³ Professor Sir R. Coupland, *A Report on the Constitutional Problem in India, III The Future of India* (London, Oxford University Press, 1943), ch. 8.

well form a loose confederation for defence, while each retaining her own complete sovereignty,

(c) That in any case the military survival of an independent India for the next twenty or thirty years will necessarily depend on defensive alliances with Great Britain. It is true that an India with a Central Government would be stronger in all these respects, just as it is true that Europe with a Unitary Government would be stronger than Europe as it is to-day—but neither in the one case nor in other can it be said that without a Central Government survival is impossible. Balkanisation has grave drawbacks and may be a fruitful source of Wars, but it is not necessarily unworkable.

Moreover, those who allege that Pakistan is impracticable, seem to forget that, unless the Princes decide to come into some form of Federation, with the withdrawal of the British power India will be divided not into two, but into five hundred odd, separate countries. To pick out two of these elements, and to assert that survival depends on their inclusion in a single scheme of Government, while leaving the position of 500 Indian States to chance, as the Cabinet Mission has done, seems difficult to defend on logical grounds.

The truth is that in recent times, the approach of British statesmen and administrators to the Indian problem has been conditioned, without their knowing it, by British aims during the past two hundred years. Britain has rightly sought to build up unity in India. To admit that self-government for India necessitates partition, is to admit failure in one of our primary long-term aims. This we are not willing to do, and this unwillingness prevents us from recognising the fact that India is not yet a unity and that the only effective cohesive force in the country has been the British Government.

It is not necessary to enter into a philosophical analysis of the constituent elements of nationality—it need only be said here that none of them exists fully in India to-day. There is still no common Indian culture (as distinct from Hindu or Moslem culture) there is little common literature or philosophy, there are few common religions or historical traditions. None of the psychological foundations of Indian nationalism are yet fully laid. The British are in process of laying them and if self-government had come fifty or a hundred years later, India might by then have been a nation. The only real test of nationality is—"Do the people think of themselves as a nation?" In the case of India, the answer must necessarily be "No". The overwhelming majority of Moslems think of them[selves] as Moslems rather than Indians and this [is] equally true of the educated Moslem and of the ignorant peasant. If you stop a Moslem cultivator in Bengal and ask him who or what he is, he will not say, "I am a Bengalee, or I am an Indian," but "I am a Moslem." In the Punjab, the reply will probably be "I am a Punjabi"—but neither will think of himself as an Indian. To do so would indeed be difficult for him, in as much as in none of the languages

concerned is there any word for "Indian." He can say "I am a Moslem or I am a Punjabi—he cannot say I am an Indian."

This is what Mr. Jinnah means by his two nation theory. The writer hopes to produce a more detailed note on this subject later. For the present it is sufficient to say that after the departure of the British as rulers, no cohesive force strong enough to hold the country together will remain. Such a force would, of course, exist if it were proposed to maintain a Hindu Government in power indefinitely by British military force. That, however, is unthinkable—and in the absence of such an arrangement, no thoughtful Hindu really believes that his community can continue to rule 90 million Moslems against their wishes. Partition in the end is inevitable and the only question is, whether we British should accept the responsibility of trying to achieve it in an orderly way, or whether we should leave it to be effected by civil war in the years to come. It has for some time seemed to the writer that our unwillingness to accept Pakistan and to make it the starting point of self-government is a shirking of our moral responsibility.

Section II—What is to be Done?

It follows from what has been written already, that in the view of the writer, Britain should frankly make a fresh start with constitution-framing on a definite Pakistan basis. That, however, would involve a moral courage and a readiness to face reality which have been absent from British policy for many years, and it may be taken for granted that we shall not rise to the occasion now. Short of this courageous solution, what can be done now to lessen the likelihood of complete disintegration and to give the Constituent Assembly a chance of success?

It is clear that the Constituent Assembly will be a solemn and perhaps dangerous farce if the Moslems continue to boycott it. A Hindu Constituent Assembly might usefully frame a constitution for Section A as defined in the Cabinet Mission's plans—i.e. for the predominantly Hindu Provinces. But it cannot frame a constitution either for Section B and C or for British India as a whole—nor perhaps is it likely that the Princes will show any enthusiasm for a Constituent Assembly from which the 90 million Moslems of India stand aloof. To continue with the Constituent Assembly under such circumstances would be merely provocative. Can we do anything to get the Moslems in?

The Moslems are outside the Constituent Assembly partly because of their fear that the Hindu majority there will deliberately misinterpret the Cabinet Mission's intentions and partly because of anger at the Viceroy's handling of the situation with regard to the Interim Government. It is important to avoid the mistake made by the Cabinet Mission in tackling the Interim Government problem first—let us rather consider what H.M.G. can do to remove the Moslem fears with regard to the Constituent Assembly. The Viceroy made an

attempt in this direction in his broadcast⁴ regarding the inauguration of the Interim Government, but he did not go far enough. He stated in effect that the Constituent Assembly was expected to follow the conditions laid down by the Cabinet Mission, but he indicated no sanction in the event of their not doing so.

A statement in simple and explicit terms on the following lines appears to be required:—

(1) That the Constituent Assembly is not in any sense a sovereign body. Its conclusions will be submitted to H.M.G. who have undertaken to implement them fully, if and only if they comply with certain conditions, the most important of which relates to the protection of minorities.

(2) That, unless modified by agreement between the two major parties the grouping of Provinces is obligatory and cannot be changed by a mere majority in the Constituent Assembly.

(3) That the Central subjects are, as stated, limited to defence, foreign affairs, communications and that the scope of these subjects cannot be widened as suggested by certain political leaders, without agreement of both the major parties.

(4) That if the Constituent Assembly, by a mere majority without agreement of both the parties, attempts to depart from what is here stated, the Constituent Assembly will be dissolved forthwith.

There would be nothing new about the proposed statement, except that it would for the first time provide a 'sanction'.

The statement should, it is suggested, be delivered neither by the Viceroy nor any member of the Cabinet Mission, but preferably by the Prime Minister or by some senior member of the Cabinet such as Mr. Ernest Bevin, who should fly to India for the purpose. There need be no question of making a long stay, nor should he enter into any discussions in India. His function would be first to make the statement suggested above, and having made that statement to appeal (both in private and in public) to Mr. Jinnah, to bring the Moslem League into the Constituent Assembly, the grounds of the appeal being that the new statement had removed the fears which were entertained by the Moslems.

In the opinion of the writer, there is a strong probability that the Moslem League would respond to a statement of this kind. The question naturally arises—would the Congress go out of the Constituent Assembly in protest? In the opinion of the writer, it is unlikely that they would do so, unless for other reasons they happened to be looking for an excuse to go out. The proposed statement would merely be a somewhat slightly strengthened re-affirmation of the statement which they have already accepted and it would not be easy for them to justify resiling from it now. Moreover, the temptation to hang on to the power they have secured in the Interim Government will be very great. On balance, therefore, it is reasonable to think that the proposed statement would

not cause the Congress to leave the Constituent Assembly and might induce the Moslems to come in. The method suggested thus offers at least a possibility of breaking the present deadlock, whereas it is not easy to see any other method which would hold out any hope at all. If the proposed method were to be adopted, action would need to be taken at once, if possible, before the first meeting of the Constituent Assembly. At the moment there is a good deal of apprehension amongst both communities and there are a good many who would welcome an attempt on the lines suggested. If the present psychological moment is lost and the situation hardens, it may be too late.

P. J. GRIFFITHS

4 No. 199.

250

Lord Pethick-Lawrence to Mr Attlee

L/P&J/10/50: ff 38-40

INDIA OFFICE, 3 September 1946

Secretary of State's Minute: Serial No. 48/46

Prime Minister

You asked for my views on Ambedkar's letter to you of the 12th August.¹

2. As regards his second paragraph you will find an analysis of the election results for the Depressed Classes in the memorandum which my Private Secretary sent to yours on the 26th July² with the draft reply to Ambedkar's previous letter. Shortly, the facts are that in the primary elections which were contested, Congress polled more votes than Ambedkar's Organisation, while a still larger proportion were polled by Independent candidates who may or may not be supporters of Ambedkar. But apart from this, two-thirds of the seats were won by Congress unopposed. The figures are, of course, not conclusive but it is not justifiable to say that the First Lord's statement in the Commons has "no foundation in truth", though I think it was rather too positive.

3. As regards paragraph 3 of Ambedkar's letter, it was not stated in the House of Commons that his influence was confined to Bombay and Central Provinces. He is referring to the President of the Board of Trade's speech, in which the actual words used were "Dr. Ambedkar's Organization is somewhat more local in its character (than the Congress Organization) being mainly centred in Bombay and the Central Provinces". I have made enquiries as to what happened in the Bengal Election to the Constituent Assembly which is, of course, by proportional representation. Ambedkar got five first preference votes.

¹ No. 142.

² L/P&J/10/50: ff 63-9.

Sarat Chandra Bose also received five first preference votes. The quota for election in Bengal was four votes. Naturally the Congress would organize their voters to secure as nearly as possible four first preferences for each of their candidates. The phrase "top of the poll" has really no meaning in a proportional election. No-one denies that Ambedkar has influence among some of the depressed classes in Bengal. There are twenty five Scheduled Caste members of the Bengal Assembly, four of whom were returned as Independents and one as an Ambedkar candidate. I do not know whether all the Independents voted for Ambedkar in the Constituent Assembly election or whether he got some Anglo-Indian votes.

4. With regard to Ambedkar's paragraph 4, I am convinced that we cannot make a public declaration that we regard the Scheduled Castes as a minority who should be represented in the Minority Advisory Committee. It is correct, of course, that Congress do not regard them as a minority for the purpose of separate political representation, whereas we have always done so. But we are not in a position to secure that Ambedkar's Organization is represented on the Minorities Advisory Committee.

5. I do not think it is really essential to send a reply to Ambedkar but should it seem to you more courteous to do so I attach a short draft.³ In case you wish to see them, I attach also extracts⁴ from the speeches by the First Lord and the President of the Board of Trade in the Commons' Debate. My own speech contained a passage similar to the latter but rather shorter.

PETHICK-LAWRENCE

³ Not printed. Mr Attlee does not appear to have sent a reply to Dr Ambedkar.

⁴ Not printed.

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Cabinet C.M. (46) 79th Conclusions, Minute 3

L/P&S/12/4631: f 239

Those present at this Meeting held on 4 September 1946 at 11 am were: Mr Attlee (in the Chair), Mr Arthur Greenwood, Mr Hugh Dalton, Mr J. Chuter Ede, Lord Pethick-Lawrence, Mr G. H. Hall, Mr E. Shinwell, Miss Ellen Wilkinson, Mr Aneurin Bevan

Also present during discussion of item 3 were: Lord Nathan, Sir Orme Sargent

INDIA

Conduct of Foreign Affairs

The Cabinet considered a joint memorandum by the Foreign Secretary and the Secretary of State for India (C.P. (46) 239)¹ on the extent to which His

Majesty's Government could discharge their responsibilities under the existing constitution for the control of India's foreign relations while the Interim Government held office in India.

It was to be hoped that the Interim Government would be ready to accept a measure of United Kingdom control in the conduct of its foreign affairs. In that event, it was suggested that the control should be restricted to the minimum necessary to secure (i) the fulfilment of treaty obligations entered into by His Majesty's Government as the Power responsible for the foreign relations of India; and (ii) that steps were not taken without the knowledge and approval of His Majesty's Government which might affect that Government's relations with foreign Powers or her essential strategic interests.

If the Interim Government were not ready to accept any such measure of control very awkward situations might arise. His Majesty's Government might find themselves in a position in which they would be regarded by foreign Governments as having responsibility for India's foreign policy but would be unable to discharge that responsibility. It was not possible, however, to decide in advance what action would have to be taken in any particular case.

The memorandum also pointed out that hitherto the relations of the United Kingdom Government with countries adjacent to India had to a large extent been conducted through the Government of India and to some extent had been financed by them. Under the new constitutional position fresh arrangements must be made and the memorandum proposed:—

(a) That His Majesty's Government should be ready to maintain and staff from United Kingdom sources Missions in Kabul and Katmandu for the purpose of representing United Kingdom, as distinct from Indian, interests;

(b) That, in preparation for withdrawal of the Indian contribution to diplomatic and consular expenditure in Persia, investigation should be made of the consular posts in Persia which the United Kingdom would have to maintain;

(c) That a decision in principle should now be taken to assume as rapidly as possible direct control of, and responsibility for, the Political Resident in the Persian Gulf and his subordinate agencies.

The Cabinet were in general agreement with the proposals contained in the memorandum. THE CHANCELLOR OF THE EXCHEQUER asked, however, that the Treasury should be further consulted on the financial aspect of the proposals made for United Kingdom representation in countries adjacent to India.

The Cabinet—

(1) Approved the proposals put forward in C.P. (46) 239, as summarised above;

- (2) Took note that the Foreign Office and India Office would consult further with the Treasury regarding the total cost and phasing of the expenditure involved in the changes proposed in the means of representing United Kingdom interests in countries adjacent to India.

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Mr Attlee to Lord Pethick-Lawrence

L/S&G/7/752: f 2

10 DOWNING STREET, WHITEHALL, 4 September 1946

Prime Minister's Personal Minute: Serial No. M. 295/46

Secretary of State for India

This is a shocking example of incompetence.¹ Figures such as these are usually available for any country and appear in books of reference. The European civilian population of India cannot have varied much in recent years owing to transport stringency, yet the Government of Delhi is over 100% wrong.²

C. R. A.

¹ Mr Attlee was commenting on Lord Wavell's explanation for an increase in the estimate of the number of Europeans in India from 44,000 to 96,000. (See No. 187, para. 8.)

² Mr Clauson minuted: 'S/S has seen. No further action required.'

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Mr Attlee to Lord Pethick-Lawrence

L/P&J/10/50: f 37

10 DOWNING STREET, WHITEHALL, 4 September 1946

Prime Minister's Personal Minute: Serial No. M. 296/46

Secretary of State for India

Thank you for your draft.¹

I am surprised at your para. 4. I had always understood that the Minority Advisory Committee was the device of the Delegation for dealing with the Scheduled Castes. If this is not so, it is a serious matter. I shall be held to have misled the House on this point, because the Opposition point on the Scheduled

Castes' meagre representation in the constitution making body was met by reference to this Committee.

C. R. A.

¹ See No. 250.

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Cabinet

Defence Committee. Paper D.O. (46) 104 (Extract)

R/30/1/8: ff 43-7

STRATEGIC IMPORTANCE OF INDIA

NOTE BY THE SECRETARY

OFFICES OF THE CABINET AND

MINISTER OF DEFENCE, S.W.I, 4 September 1946

On the instructions of the Prime Minister, the attached extracts¹ from a paper which sets out the views of the Chiefs of Staff on the Strategic Importance of India, are circulated for consideration by the Defence Committee. The Chiefs of Staff are at present engaged in preparing a further paper which will set out the military requirements which should be included in any treaty that may be concluded between Great Britain and an India which has elected for independence.

L. C. HOLLIS

Annex to No. 254

STRATEGIC IMPORTANCE OF INDIA

CONCLUSIONS

12. We conclude that—

- (a) The strategic importance of India lies in her great man-power resources, growing industrial capacity, and in the fact that her territory provides important bases for offensive air action and for the support of our forces in the Indian Ocean and neighbouring areas.
- (b) Our strategic requirements in India, therefore, are:—
 - (i) Development as a main support area;
 - (ii) Maintenance of efficient armed forces capable of expansion in war and under unified control.
 - (iii) Security against aggression and internal disorder;

¹ Only the paragraph giving the Chiefs of Staff's Conclusions is reprinted here from these extracts.

- (iv) Provision of air communication, and operational and administrative base facilities;
- (c) If the withdrawal of British forces were limited to British units and formations our main strategic requirements would not necessarily be directly jeopardised, but there would be a grave risk to internal security on which all our requirements ultimately depend.
We should, however, require the right to move formations and units, particularly air units, into India at short notice, in case of threatened international emergency.
- (d) If the demand for withdrawal were extended to include all British personnel including those in the service of the Indian Government, the fulfilment of any of our strategic requirements would be improbable. It is in our view essential that the Indian Government should be persuaded to accept the assistance of the necessary number of British personnel.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/124: f 92

IMMEDIATE
SECRET

NEW DELHI, 4 September 1946, 6.45 pm
Received: 4 September, 5.15 pm

No. 1858-S. Your 16025 of 31st August¹ and previous telegrams about grouping formula.

2. It was beyond all question the intention of the Mission that the provincial constitutions should be framed by the sections sitting as sections and this is a vital matter for the League. Moreover we gave a definite verbal assurance about it to the League representatives on the 16th May, which is mentioned in the record of the interview.² Like the First Lord I am against going back on our own intentions and undertaking in this matter. Nor is it proper that in one of the provinces most vitally concerned, the NWFP, the constitution should be decided by only three men of whom one (Azad) lives over 1200 miles away. I am sure we must stick to our clear intention that the sections will frame the provincial constitutions.

3. Otherwise I agree with your formula and if you approve I will put it with the necessary amendment to Nehru and press the Congress to negotiate with Jinnah on that basis. I shall have to make it quite clear that if they are unwilling to open discussions with Jinnah I must do so myself. I also request the firm

assurance of support from H.M.G. Following on the Calcutta tragedy the heavy casualties in Bombay and the many disturbances elsewhere show that an all-out attempt to reach an agreement between the main parties and to form a coalition Government is essential. The Governors of the Punjab and United Provinces³ are very concerned at the possibilities of direct action by the Muslim League in their Provinces at an early date.

4. The necessary amendment to the formula in your 15892⁴ is to omit (c) (ii) and to add the following as (c) (i) (c): "The provisions of the provincial constitutions".

¹ No. 234.

² See Vol. VII, No. 301.

³ See Nos 232 and 233.

⁴ No. 219.

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Note by Field Marshal Viscount Wavell

Wavell Papers. Notes of Important Interviews, 1943-7, pp. 223-5

SECRET

5 September 1946

HIS EXCELLENCY'S CONVERSATION WITH SARDAR VALLABHBHAI PATEL
ON 5TH SEPTEMBER 1946

1. Patel came to dine with me tonight, he said he had broken all rules in doing so, but was very friendly and appeared to be in a mood to talk. At the end of dinner, during which we had mainly had general conversation, I spoke to him on the following lines:—

I said that in my opinion it was far more in the interests of Congress to get the League into the Constituent Assembly and Central Government than it was for the League to come in; it seemed to me in fact to be absolutely vital for the Congress, if they wished a united India and a peaceful transfer of power. I said in fact that I thought they ought to try and get them in, for their own sake, on almost any terms, and that it was well worth their while to go a long way to reassure the League. I said that I thought it was the only hope for a united India and for the peace required to enable India to make progress and raise her standard of living. I said that if there was no agreement, I was quite certain that the Muslims would resist fanatically any attempt at domination and would make the goal of a united India impossible; the Army would break up, the tribes on the N.-W. Frontier would go out of control; and there might even be a danger of Russia stepping in. I said that the British were certainly not going to stay in India to enable the Congress to put down the Muslims (Patel nodded here and said "Of course not"). I also said that I thought the States

would find great difficulty in negotiating with a one-party Government to come into the Union.

I said that the first step was to reassure the Muslim League on the matter of Grouping in the Constituent Assembly. I said I did not see how it could injure the Congress to carry out the intentions of the Mission's plan. I thought that they need not fear the development of Pakistan, since if the discussion in the Groups was sensibly carried out, and the affairs of India were conducted with commonsense, the logic of circumstances would prevail, and the Muslims would see that Pakistan was not really a practical solution.

Vallabhbhai Patel did not dissent from what I said, in fact he seemed to indicate agreement, but said that Jinnah was an impossible personality with whom to negotiate; if there was someone else in the Muslim League with whom they could talk, he thought that matters could be arranged. I said that I agreed that Jinnah was a difficult character, but the matter was of such importance to the Congress and to India as a whole, that I thought that it was necessary to negotiate an agreement somehow. I said that I thought there was a good deal of pressure on Jinnah from the more moderate Muslims.

On the matter of Grouping, Patel seemed to admit the meeting in sections, but thought that each Province should vote as a Province and not according to the numbers of their representatives. I said that this was entirely contrary to the intentions of the Mission, and would defeat its object. In neither "B" nor "C" sections had the Muslims more than a narrow majority, and this would make it impossible for them to do anything unreasonable. I said there was a lot of very sensible men who had been elected to the Constituent Assembly, and that I thought that nothing very violent would be done. Patel said that he had no great fears of the North-West of India forming a solid Group since the Pathans hated the Punjabi Muslims, and Sind and the Punjab did not get on; and there were Sikhs to be considered. I said that these very factors would prevent anything very drastic in the way of a Pakistan being arranged. He agreed; but said that it was different in Section "C" where Assam might be overwhelmed; it might be much better if a re-arrangement could be made, making the whole of the Muslim parts of Bengal into a separate Province. I said that this was tried once, about forty years ago, and produced the most violent reactions. He said that circumstances were different now. I said that a solution of this kind could no doubt be discussed in the Section, but that the Muslim majority was too narrow for there to be any chance of anything being done which would make the position of Assam impossible.

We left it at that, I do [not] know whether what I said made any impression, but he was very reasonable and sensible in his arguments, and ended by saying that the personality of Mr. Jinnah was the main stumbling block.

2. He then spoke about the position in Sind, and accused the Governor of

partiality. I said that Sind politics were very peculiar, and that I thought the Governor was doing his best in a very difficult position; he was bound to take the advice of his Chief Minister as far as possible.

3. Patel then spoke of the incitements to violence which were going on all over India in the Press and otherwise, and said that they should be stopped. I said that I entirely agreed that they constituted the greatest danger to India at present, and if he could do anything to lessen the violence of the communal speeches and articles on either side, it would be of the greatest value, but it must be absolutely impartial. I then mentioned Jai Prakash Narain's having been taken into the Working Committee, and said that his speeches in the Punjab lately had been the clearest possible incitement to violence and revolution. He agreed, and gave me the impression that they had taken Jai Prakash Narain into the Working Committee in order to try and muzzle him; he said that as long as he was in the Working Committee he would remain quiet.

4. He then asked me about the enquiry into the Calcutta riots, and I told him what was proposed. I said that I thought there would be a lot of hard swearing on either side, but that we should be unlikely to get the responsibility firmly fixed on anyone. He smiled and seemed to agree.

5. I think the above is the main gist of a talk which lasted the best part of an hour. I did not tackle him on the question of the Services, or of the I.N.A.; I thought we had had enough for the time being without touching on further controversial subjects. I still think that if we can get Patel thinking and working on the right lines he is the most impressive of the Congress leaders, and has the best balance.

W.

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Field Marshal Viscount Wavell to Sir F. Wylie (United Provinces) (Extract)

R/3/1/135: f 126

No. 592/82

5 September 1946

My dear Wylie,

Many thanks for your two letters of the 29th and 31st August¹ about the present situation in the Province. I have sent both letters to the Secretary of State and also quoted your opinion to him in a telegram. It is a dangerous state of affairs, and I think you have been lucky not to have big riots already in some town or other. As you say your police seem to have done very well indeed in Allahabad.

¹ Nos. 220 and 232.

2. I agree that the Muslim League can cause very serious trouble if they want to, and the possible programme which you mention in your letter of the 31st August is an indication of the widespread dislocation of the ordinary life of the country that they could bring about.

3. The Congress members of the new Government talk as though they were being very conciliatory to the League, but I am not convinced of their intentions. I fear the real policy may be to consolidate their position while being outwardly friendly, and to avoid at all costs a coalition with the Muslim League. I on the other hand am determined to secure a coalition if I possibly can. I am in correspondence with the Secretary of State and hope to be able to make a move either through the Congress or direct in a few days' time. Rumours persist that Jinnah is coming to Delhi, but so far as I know these are incor-

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*Sir. H. Twynam (Central Provinces and Berar) to Field Marshal Viscount Wavell
(Extract)*

L/PEJ/5/195: f 111

SECRET

No. 30-G.C.P.

GOVERNOR'S CAMP, CENTRAL PROVINCES
AND BERAR, 5 September 1946

3. The "atrocities" resolution had drawn place No. 2 in the ballot for non-official resolutions, but was taken first at Government's desire. The mover rose and indicated that she desired to withdraw the motion as she understood Government was making an enquiry into these matters. The withdrawal was agreed to. It follows that the statement referred to above¹ was not even read out in the Assembly. This closed the matter in the Assembly. It has the merit that we have been saved so far from the widespread vilification of officers which we feared. A further opportunity for abuse of officers will arise in connection with demands for the grants, but, in view of what has happened, I am not unhopeful that sense will prevail even here.

¹ In para. 2, Sir H. Twynam referred to a Statement which Pandit Shukla, the Prime Minister, had intended to make in the Assembly on the subject of the Services and the 1942 disturbances.

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Pandit Nehru to Field Marshal Viscount Wavell

Wavell Papers. Official Correspondence: India, January 1946–March 1947, pp. 146–7

5 September 1946

You will remember that some time ago I drew your attention to the extraordinary happenings in the Sind Legislative Assembly on the occasion of the election of members of the Constituent Assembly. The Assembly was suddenly adjourned by the Speaker, although there were important motions of no-confidence in the Ministry before him. The Governor of Sind played a very unusual and partial part in these happenings.

Ever since then it has been fairly common knowledge that the Governor of Sind has been doing his utmost to support the present Ministry. On the pretext of the month of Ramzan the Assembly was not convened for over a month, although meetings of other Assemblies were held in other Provinces during that month, and had been held in Sind also in previous years. It was obvious that if the Assembly met, the present Ministry would be defeated. Therefore every effort seems to have been made to postpone the meeting of the Assembly and meanwhile to create conditions which would in some way help the present Ministry.

It is reported that the Governor tried his utmost to induce the three European members to support the Ministry. It was also hoped that in a number of election petitions the Coalition members might lose and thus reduce the number of the Coalition opposition party. Suggestions were also made to add some more Ministers so as to give some inducement to the waverers. Meanwhile some of the Sind Ministers delivered speeches which are very remarkable for their open invitation to violence and the shedding of blood.

In spite of all this it appears that the strength of the opposition was greater than that of the Government. A press message today announces how this situation has been met by the Sind Government. It is stated that the League Party in the Sind Assembly met on the night of the 4th September at the residence of the Premier, and the five Ministers as well as the Speaker gave their resignations "to use them in any manner he thinks best in the interest of the League organisation". This has been obviously done to leave the House without a Speaker for a while and thus possibly get the Assembly adjourned again. Meanwhile, no doubt, steps would be taken for election petitions to be heard and disposed of, as far as possible, in the interest of the League party. The resignation of the Speaker also gives a much-needed vote to the Government. Even so the Government party would be in a minority of three. If the three Europeans and the Speaker join them, then they just equal the Coalition party.

All this manœuvring and open intrigue is bad enough. Politics may not always reach a high standard of conduct, but normally there are certain low standards which it avoids. But what is peculiarly objectionable is the part the Governor of Sind is playing in this unsavoury game. It is almost an open part and he has consistently followed it for a considerable time. This was bad enough previously, but now, with the formation of new Government, national and popular in character, at the Centre, it can only lead to conflict with the Central Government. The Governor, I take it, is responsible to the Governor-General and through him to the Interim Government. If that is so, he has shown little sense of responsibility and his prejudices appear to have led him to misuse his position.

My colleagues and I feel strongly on this subject and I am, therefore, drawing your attention to these developments.

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Lord Petthick-Lawrence to Mr Bevin

L/E/8/4870: ff 174-5

INDIA OFFICE, 5 September 1946

Dear Ernest,

You were good enough to send me a copy, undated, of your letter to the Prime Minister,¹ regarding the relation to yourself of the prospective United Kingdom High Commissioner in India, and mentioning that you had suggested to the Cabinet Standing Committee the amendment of the draft directive to the High Commissioner in the sense of your letter. I think it is perhaps a pity that you did not consult me (or your people consult mine) before troubling the Prime Minister.

It is not contemplated, and there is no reason why it should be contemplated, that for some time to come the High Commissioner in India should be the sole or indeed the main channel for communication with the Government of India in regard to matters arising in the field of external affairs. In the ordinary way communications will pass, as hitherto, between the appropriate department of my Office (as that of the Minister still primarily responsible for the general conduct of His Majesty's Government's relations with India, just as the Secretary of State for the Dominions is for those with the Dominions) and the appropriate department of the Government of India after necessary consultation, as hitherto, with the Foreign Office or other Department involved; this is in line with the proposal at the beginning of para. 11 of our joint paper C.P. (46) 329;² such communications will, it is contemplated, be copied to the High

Commissioner in India as the corresponding communications are to those in the Dominions in comparable circumstances; so far as special guidance may be required in any instance to persuade the Interim Government to walk in step with United Kingdom foreign policy, that might be in the first instance for the Viceroy to afford, and communications with him in this regard will continue to be as from me to him (as of course they would be if the guidance were to reach the pitch of control: see again para. 11 of our joint paper). It is recognised that on occasion it may be expedient to use the High Commissioner as the better channel for exercising persuasion on the Government of India in relation to foreign affairs as to other matters, and the machinery devised for conveying instructions to him on behalf of the interested department or departments of His Majesty's Government will apply in regard to foreign affairs as to other matters. Why should this machinery be by-passed in favour of your department rather than of any other? If your request were developed to its logical conclusion there would be no purpose in having any interdepartmental organisation for regulating relations with the High Commissioner; indeed there would be little purpose in having a single High Commissioner at all, and each department might have its own separate representative.

The fact that the first incumbent of the new post is to be drawn from the ranks of the Foreign Service is quite accidental—he will of course have to be seconded from the Foreign Service during the period of tenure, and his emoluments, like those of the rest of the establishment, will be borne on the Treasury vote—and does not affect in any way the manner in which the High Commissioner's communications should be canalised. The selection of the officer in question was due solely to his personal qualities; had there been a suitable nominee available I should have preferred, in principle, to secure the first High Commissioner from among High Commissioners to the Dominions.

The position vis-à-vis the Interim Government in India is sufficiently full of anomalies and complexities, and I must earnestly beg you not to add unnecessarily to their number, while we are still feeling our way.

I am sending a copy of this letter to the Prime Minister.

PETHICK-LAWRENCE

¹ No 236

² No. 228.

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Mr Turnbull to Sir D. Monteath and Lord Pethick-Lawrence

L/P&J/10/75: ff 336-7

5 September 1946

Sir D. Monteath.

S/S.

The Viceroy's telegram 1858-S¹ knocks the bottom out of the proposal put to him in 16025² and earlier telegrams. It removes any concession to Congress which would save their face with their followers and makes it virtually identical with the Viceroy's formula which Congress have turned down with every show of determination.

2. To put the formula to Congress in the Viceroy's form will put the whole matter to a final test whether Congress will give way or not, and before this is done H.M.G. must decide whether they will face a show down with Congress. The Viceroy is right however that the formula is a modification of May 16th—though we have always said it can be altered by agreement between the parties. I cannot see that it is worse for the N.W.F.P. to have their constitution decided by Azad and 2 Frontier Moslems 1 League and 1 Congress, than to have it decided by a majority of League votes from the Punjab and Sind.

3. I am preparing a Cabinet Paper,³ necessarily a long one, setting out the whole situation. But before this can be completed it seems to me that we must have a comprehensive statement of the policy the Viceroy proposes. In particular I don't know what the Viceroy means in para 3 of his 1858-S—"I shall have to make it quite clear to Nehru that [if] Congress are unwilling to open discussions with Jinnah I must do so myself." The Viceroy's formula gives Jinnah all he wants, and if he is willing to come back at all he will come back on it without negotiation; he is likely however to be sticky about the Congress Muslim in the Interim Government.

4. It seems to me that this effort to get agreement should not be started until a decision has been reached by H.M.G. as to what their policy is:

whether to stick to the declared intention of the Statement of May 16th, break with Congress if necessary and follow the situation out to whatever end it leads to—official Government—Muslim League cum official Government—or withdrawal or partial withdrawal.

or whether to give way to Congress, which means I submit giving way not on this point only but on everything else.

For a decision of that kind I think answers are needed to the questions in the

draft.⁴ We might aim at a paper for I[ndia] and B[urma] [Committee] on 13th or so when, I understand, Sir S. Cripps will be back.

F. F. TURNBULL

¹ No. 255. ² No. 234.

³ Presumably No. 317, which took the form of a note sent to Mr Attlee.

⁴ This relates to a draft of No. 268.

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Mr Abell to Field Marshal Viscount Wavell

R/3/1/135: f 128

5 September 1946

I have had lunch with Mr. Porter, Secretary Home Department, to-day. He tells me that Sardar Patel is disappointed to find how narrow the scope of the Home Department is. Apparently he expected to be in charge of law and order throughout India and did not appreciate the extent of Provincial autonomy. In conversation with Mr. Porter he said that, though he would welcome an agreement with the Muslim League if it could be obtained, it must be on the condition that Pandit Nehru is in effect Chief Minister, and if the League will not accept the terms any disturbances they create must be put down. Mr. Porter's general impression seems to be that Sardar Patel would relish the fight more than the coalition.¹

¹ Lord Wavell minuted on 5 September: 'Interesting'

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

L/PO/10/23

PRIVATE AND SECRET

INDIA OFFICE, 5 September 1946

Received: 11 September

Many thanks for your letter of the 28th August,¹ concerning an account of your visit to Calcutta, which seems to have been very well-timed. I am glad to hear that you consider the Governor came out of it well; that is the impression which I myself got both from the Press accounts and from his own secret report to you, dated 22nd August,² of which he sent me a copy, and I do not attach any

¹ No. 206.

² Enclosure to No. 197.

importance to the criticism made in some quarters that he failed to take a grip of the situation early enough; his position as a constitutional Governor was an extremely delicate one and it looks as if he could hardly have intervened before he did. I hope that the Commission of Enquiry can be set up with the least delay and that it will produce its report at the earliest possible moment. I gather that additional disturbances are already taking place.

2. I was very glad to see from the account of your interview with Suhrawardy on the 25th August that you have told him that he should make an immediate attempt to form a Coalition Government. I had been wondering whether it would not be possible to do this, the difficulty being of course that any move on your part or indeed by the Governor might be attributed to pressure exercised by the new Congress Government at the Centre. It is most satisfactory that you have been able to manage this. My impression is that there has been a fairly wide advocacy recently in the Press and other quarters of the formation of a Coalition Government. It may interest you to know that I have also had a long letter from Horace Alexander to the same effect.³ As you might expect with his very Congress background, he is deeply critical of the League Ministry and (amusingly enough, if the subject were not so tragic) insists that the police ought to have adopted a much firmer line and the troops been brought in much earlier. I should not of course attach undue weight to Alexander's remarks alone but they are perhaps worth passing on in this context. I am glad that you took the opportunity of urging Suhrawardy to use any influence he might have with Jinnah to put to him the point that a Nationalist Muslim should strengthen the general Muslim cause rather than otherwise, but I fear that Jinnah is too nervous of his own position to see the force of this point.

3. You may be right in thinking that we are unlikely to get a Coalition Government in Calcutta without a Coalition Government at the Centre. On the latter subject, there is not much I can add to the telegrams which we are exchanging. I entirely agree with you, and so I am sure do my colleagues, that our experience in Calcutta and the dangers confronting us in Bombay and elsewhere, make it of the highest importance to get a Coalition at the Centre at the earliest possible moment.

4. Many thanks for sending me the cutting of Jinnah's reactions to your broadcast. We can only hope that you are right in detecting in his second statement some sign of a wish to compromise. Your broadcast,⁴ if I may say so, seemed to me to be quite admirable.

5. I am glad you have been able to have some talk with Rance and that you have been favourably impressed with him. I am sure that his contacts with the various Departments of your Government will have been of the utmost value to him.

6. I am grateful for the report which you made in paragraph 8 of your letter, about the trouble which may be brewing with the U.P. Ministry over police discipline. I agree with you and Wylie in regard to the principle at stake, namely, that it is quite wrong for a Minister to issue direct orders to a District Officer; but I cannot help thinking, on the other hand, that the Inspector-General of Police may have been somewhat lacking in tact in his handling of the matter, and I sincerely hope that Wylie will be able to smooth matters over. It would be most unfortunate to have a breach with the Ministry over what is, after all, a comparatively minor matter of procedure.

7. As regards your paragraph 9, I am doing my best to press on with the compensation issue. I have received the considered views of my advisers and I am now putting urgently to my colleagues in the India and Burma Committee the draft of a communication to your Government making a formal proposition for their consideration.

[Para. 8, praising Sir H. Knight's work, omitted.]

9. Shone has arrived in this country and I saw him a day or two ago. I was favourably impressed with him and I agree with you that he is likely to make a success of the job. He is busily engaged at present in getting a staff together and he has not yet had time to get down to consideration of broader issues; we hope to see a good deal more of him later on and I trust that he will be fully briefed before he reaches Delhi, which I understand is likely to be at the end of October.

10. Two of the members of the Indian Delegation to the World Food Conference at Copenhagen came to call on me the other day. The first was Mr. Pillai, the Chief Secretary of Travancore, who came with an introduction from Sir C. P. Ramaswami Ayyar. He seemed a respectable old gentleman but had nothing of importance to say. The other was a very different type of person, Professor Ranga, who, I understand, is Secretary of the Congress Party in the Assembly. He seemed to me an unattractive individual and spent most of his time with complaints of the Government of India, and, indeed, His Majesty's Government, including myself. I hope that he is not a typical specimen of the kind of Congressman in the present Assembly.

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Minutes by Mr Abell and Field Marshal Viscount Wavell

R/3/1/124: f 102

6 September 1946

Sardar Vallabhbhai Patel had a talk with Menon yesterday and discussed the question of grouping. He said that the Congress had been clearly left by the Cabinet Mission with the impression that there was no objection to their adhering to their view about grouping, and that all was well provided they came into the Constituent Assembly. He seemed however prepared to look into the matter further and consider whether an assurance could not be given to the Muslim League.

2. Menon thinks it might influence Patel a great deal if he could be informed of the fact that on May 16th the Muslim League representatives were told by the Cabinet Mission that under the Statement of that date the grouping of the Provincial constitutions would be framed by the representatives of the Provinces sitting together in the sections and that a majority vote of those representatives would be decisive.¹

3. The Muslim League representatives were allowed to come back a day or two later and take notes of the record of the interview of the 16th May,² and I think therefore that there can be no objection to letting Menon inform Patel of the existence of this undertaking. If Y.E. agrees I will tell him to go ahead.

G. E. B. ABELL

6.9.1946

Yes. I suppose they will say we ought to have let them know of it. I am afraid I had forgotten it myself.

W.

6/9

¹ See Vol. VII, No. 301.

² See Vol. VII, Addendum to No. 301.

265

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, Wavell Papers. File of 'U' telegrams¹

6 September 1946

U-9. There are persistent Press reports here that you are about to retire and will be replaced by Cripps. I sincerely trust this is not true. I am sure that

appointment of Cripps would destroy all hope of Muslim League cooperation. I should find it difficult myself to work with Cripps with whose conduct of negotiations at latter end of Mission's stay I often deeply disagreed as you know. If you have decided to lay down your burden sincerely hope that Alexander may be appointed. This would be likely to reassure Muslims.

¹ The Editors are indebted to Lady Pamela Humphrys for a transcript of tel. U-9.

266

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/PO/10/35: f 35

INDIA OFFICE, 6 September [1946]

5-U. Your 9-U. No truth whatever in rumour.

267

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/PEJ/8/648: f 88

IMMEDIATE

NEW DELHI, 6 September 1946, 3.30 pm

Received: 6 September, 1.5 pm

No. 1870-S. A deadlock is likely in Sind Legislature. The parties are equal and whichever party provides the Speaker becomes a minority. Consequently the Speaker has resigned, and Deputy Speaker who belongs to opposite party is likely to resign also. If that happens I have told Governor to prorogue House for a few days and report to me. Mudie is in favour of dissolution and thinks that after a fresh election a more stable Government may be procurable. The crux of situation is that there are now 8 Moslem members who are against Moslem League Ministry and in present state of communal feeling those seats may go to Muslim Leaguers in a new election.

2. Alternative seems to be a period in Section 93. Advantage of this is that election in present super-charged communal atmosphere is avoided. A period in Section 93 which might conceivably lead to a Coalition Ministry being formed would probably be acceptable to Congress and dissolution to the Moslem League.

3. I have no great faith in Mudie's judgment but I hesitate to reject his

advice in favour of dissolution and a fresh election. Constitutionally it seems the correct course but there are obvious dangers to law and order.

4. Should fresh circumstances alter the case I will telegraph again, but on assumption that there is a deadlock because neither party will accept the Speaker-ship do you agree to dissolution and fresh election during next 2 months?

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/PEJ/10/75: ff 339-43

IMMEDIATE

INDIA OFFICE, 6 September 1946, 6.30 pm

TOP SECRET

Received: 7 September, 7 am

No. 16317. Your telegram 1858-S¹ and preceding correspondence.

2. Your amendment to formula in my 15892² reduces it in substance to that which you yourself put to Gandhi and Nehru on the 28th August³ and which they rejected with every show of determination. Amendment as you propose it would perhaps have a faint chance of success as taking the form of an inter-Party agreement and not a unilateral statement by Congress. But as a means of improving that chance I think it would be desirable in any case to retain as part of and explanation of your para. C (1) (c) the first sentence of paragraph C (2) as this would give some mild element of concession to Congress point of view.

3. One of the objections which was raised orally by Congress in our conversations in Delhi to the grouping provisions of the Statement⁴ was that Provinces such as Assam and North-West Frontier would have their provincial constitutions determined by a majority of votes of representatives of Punjab and Sind and Bengal respectively. Particularly in the case of Assam it was urged that the right of the Province to opt out of the Group subsequently by decision of the Legislature under the new constitution might be vitiated by the Muslim League majority in the Section Constituent Assembly making provisions in regard to the provincial constitution of such a character that the genuine views of the people of the Province would not prevail in the decision regarding opting out. This seemed to us somewhat far-fetched but in the case of Assam I do not think it is a wholly unfounded objection.

That it is a solid and possibly the most important element in Assam's opposition to the grouping provisions is shown by para. 5 of Bourne's letter to Burrows of 17th July No. 518-G⁵ enclosed in Menon's letter to Turnbull of 25th July and by D.I.B.'s report giving Nehru's letter to Bardoloi sent with Menon's letter of 1st August.⁶

Neither of the main communities has a clear majority of the population in Assam. It is possible that the Muslims in the Section might be able to do a deal with the Scheduled Caste or tribal representatives in Assam whereby, for example, they got special weightage in Legislature or other advantages under the provincial constitution in return for an undertaking to vote for Assam staying in the Group. Fears of this sort among their followers in Assam are certainly one element which leads Congress to resist our intentions as regards grouping and Assam Legislature's resolution on this subject shows that feeling there is high in regard to it. Merit of my formula is that it gives Congress something which would set these fears definitely at rest. To the extent that it does so it deprives Jinnah of a possibility of an improper⁷ bargain which the Statement of May 16th does not prevent, but if Jinnah has any intentions of this kind, I think he deserves to be thwarted in regard to them.

I do not think however that Jinnah can have any such intention since he accepted the principle of Provinces opting out by referendum in his offer at the end of the Simla Conference and on this consideration he should not require your para. C (i) (c) nor object to my C (2).

4. As regards your objections to para. 2 (c) of my formula I recognise that it involves a modification of Statement of 16th May in that it removes provincial constitutions except in so far as their form is determined by character of Group constitution from the sphere which is decided by bare⁸ majority vote of the Section Constituent Assembly. As stated at the end of preceding paragraph I cannot see that this from Jinnah's point of view is a really harmful change and the whole point of it is to give the Congress a concession sufficient to enable them to justify to their supporters a modification of their publicly stated attitude on the grouping question. If this provision were conceded it would not dispose of the Congress objection to grouping as such, but that is in fact met by the opting out provision. Of course⁹ if Congress are simply making these objections to drive the League out of the Constituent Assembly no formula will be of any value. But even if they intended originally to do that they may possibly be looking for some means to escape from the present position. I should be grateful if you would consider the question further in the light of the above. I cannot see that it is more objectionable for North-West Frontier to have its constitution determined by Azad and two Frontier representatives than by a majority of Muslim votes from Sind and the Punjab. Please do not put the formula to Nehru until we have considered its form further. For the same reasons as above I think it might improve the formula if the addition to it

¹ No. 255 ² No. 219. ³ See No. 205.

⁴ 'of the Statement' deciphered as 'on the whole'.

⁵ Enclosure to No. 44. ⁶ No. 106.

⁷ 'improper' omitted in decipher. ⁸ 'bare' deciphered as 'their'.

⁹ 'Of course' deciphered as 'Legitimately'.

proposed in my next succeeding telegram were made and should like your comments on this.

5. In paragraph 6 of your telegram 1829-S¹⁰ you reported signs that the League as a whole would welcome a settlement. I should like to know what these signs are and whether they give any indication what sort of a settlement League opinion would accept. Do you think that if League were satisfied on essentials of procedure regarding grouping they would come into Interim Government notwithstanding inclusion of a Congress Muslim? I cannot see Congress giving way about that.

6. Paragraph 3 of your 1858-S. If Nehru rejected whatever formula you put to him what would you propose to say to Jinnah? The formula which you advocate would surely certainly be acceptable to Jinnah and if you put it to him and he accepted it we should, I suppose, be obliged to issue it on our own authority. It seems to me virtually certain that Nehru and Congress will continue to oppose it at any rate in the limited form which you support, and we are still not clear whether your view is that we must stand for our own interpretation of Statement of May 16th if necessary to the point at which Congress resign from Interim Government and presumably from Provincial Governments also, *vide* paragraph 4 of 15940.¹¹ Before I put the position to my colleagues, as I must do if I am to give you assurance of support for which you ask, I feel I must have your views on this point.

7. If that is your view am I to take it that paragraphs 11-14 of your appreciation of May last¹² to which you refer in paragraph 5 of your 1651-S¹³ still represent your view of the course we should follow in the last resort, but that prior to any sort of withdrawal or partial withdrawal we should make an attempt to continue to administer India with officials? Is this right or do you suggest that we should say to the Congress that if they will not accept the intentions of our Statement we shall withdraw from Hindu India but remain in the Muslim Provinces, thus in effect setting up Pakistan?

8. I propose to put the whole question to my colleagues as soon as I have reply on the above points. We cannot take a decision before 13th September after which First Lord and President of Board of Trade will probably be available. I do not think this delay should be harmful because it may be less¹⁴ difficult for Congress to moderate their attitude if they are not asked to do so at a time when a concession would appear to be directly extorted by the wave of violence in Calcutta and Bombay.

¹⁰ No. 231.

¹¹ No. 226.

¹² See Vol. VII, No. 407.

¹³ No. 133.

¹⁴ 'less' deciphered as 'very'.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&J/10/75: f 338

IMMEDIATE
TOP SECRET

INDIA OFFICE, 6 September 1946, 5.30 pm
Received. 7 September, 5 am

16318. My telegram 16317 para. 4.¹

Following is addition which I suggest might be made to para. C of proposed formula for an agreement between Congress and League contained in my telegram 15892.² Add at end as new paragraph.

C (iii). It is agreed that provision should be made that where in accordance with para. 19 (viii) of the Statement of May 16th a decision is taken by a Provincial Legislature that the Province opts out of the Group in which it has been placed, the Provincial Legislature shall thereafter be free to revise the Constitution of the Province subject only to the overriding requirements of the Union Constitution.

¹ No. 268. ² No. 219

270

Mr Alexander to Lord Pethick-Lawrence (via U.K. Delegation, Peace Conference and Foreign Office)

Telegram, L/P&J/10/75: f 332

PERSONAL

PARIS, 6 September 1946, 9.25 pm

No. 713. From First Lord to Secretary of State for India.
Secret.

Thank you for sending on Viceroy's telegram 1858-S.¹ I have much sympathy with the 3rd and 4th sentences of his paragraph 3 but I have no doubt that you are doing all you can to support him in his attempt to form a coalition Government.

¹ No. 255.

271

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

L/PO/10/26

6 September 1946

I shall probably be sending you separately a letter making proposals as to what we should say in the debate in Parliament in October about the status of the Interim Government and the control of His Majesty's Government and Parliament over it. That letter will refer to what we should say in public, and before I send it I wish to obtain my colleagues' concurrence in its terms.¹ This letter deals with the associated question of what are, in fact, the matters in respect of which we might be prepared to consider overruling the Interim Government in an extreme case. The necessity for considering this aspect of the matter arises because the Departments of His Majesty's Government here which will be involved need guidance as to how to deal with the issues which may arise within that sphere. The conclusions to which we come on this subject will, of course, be secret and for the guidance of my Office and other Departments of His Majesty's Government, which have to decide how any particular matter should be put to the Government of India. My conception is that broadly speaking the matters which in the last resort it might be necessary to deal with by the exercise of your powers would be dealt with in correspondence with you, while other matters would be dealt with either in correspondence between my Office and Departments of the Government of India or through the High Commissioner for the United Kingdom, as circumstances seem to require. Some matters in the first category such as the position of the Services might be dealt with in the first instance in correspondence between my Office and the Government of India, but as soon as they become contentious I envisage that correspondence would be conducted with you. In the case of the Indian States no uncertainty exists: correspondence would, of course, be with the Crown Representative.

2. It is obvious from Nehru's statements about the character of the Interim Government and from the whole tenor of our discussions on this subject with Congress during the Cabinet Mission that Congress will expect a very latitudinarian observance of the existing constitution; and your letter to Azad of the 30th May,² which is the text upon which Congress have accepted office, promises them a very wide degree of freedom in practice. Even if we were not engaged as we are upon a policy of establishing full independence as soon as possible and of meanwhile permitting the expansion of self-government, our present position and resources in India do not really permit of your authority being exercised against the majority of your Council except for the most

compelling reasons. It is, however, necessary, for the practical reasons to which I have referred in the preceding paragraph, that we should be clear in our own minds, and that all Departments of His Majesty's Government who are concerned should also be clear, as to what are those limited matters upon which our responsibilities may still on occasion require that His Majesty's Government's views should prevail over those of the Government of India.

3. In the first place I think that this field must include the two matters subject to which, on the completion of the labours of the Constituent Assembly, it has been stated that the British Government are prepared to recommend to Parliament such action as may be necessary for the cession of authority to the Indian people. These are: adequate provision for the protection of minorities, and willingness to conclude a Treaty with His Majesty's Government to cover matters arising out of the transfer of power. Decisions have not yet been taken in regard to the content of the Treaty but we are agreed, I think, that it would at any rate cover the maintenance of existing obligations of the Indian Governments, including those to the Services, to holders of Government contracts and securities, and to foreign powers under Treaty engagements. Apart from these two matters, there is our obligation to the Indian States to maintain the existing Treaty position and not to transfer paramountcy to an Indian Government, which has been publicly stated in paragraph 2 of the memorandum on States Treaties and Paramountcy which the Cabinet Mission presented to the Chancellor of the Chamber of Princes on 12th May.³

¹ On 20 September Lord Pethuck-Lawrence sent Mr Attlee a minute (59/46) which enclosed a draft letter to Lord Wavell giving the text of a passage on the status and powers of the Interim Government which it was proposed Government spokesmen should use during the Parliamentary debate. Copies of this minute were sent to Sir S. Cripps and Mr Alexander.

In his draft of the passage for Parliament, Lord Pethuck-Lawrence acknowledged that it was still open to Parliament to raise matters in respect of which the United Kingdom continued to carry responsibilities in India. But he pointed out that 'the exercise of our Parliamentary duties varies with the circumstances, and we now ask Parliament to accept our judgment that it is in the best interests of the evolution of India towards self-government that this change should be acknowledged and to recognise that, in practice, responsibility for the day-to-day administration of Indian affairs has passed to the new Indian Government, and we ask Parliament not to seek to intervene without the strongest reason in these matters. . . . In particular, I would ask Hon Members to exercise with discernment their right to put questions on Indian Affairs to my Hon friend, the Under-Secretary of State for India.' L/P&J/10/83A: ff 72-81.

On 25 September Sir S. Cripps' Private Secretary sent the India Office a number of textual amendments to the Parliamentary passage proposed by Sir S. Cripps. On 28 September Mr Attlee minuted on the passage (M325/46): 'I think we should do everything we can to avoid an immediate discussion on India, but that if we have to have one, we should as far as possible give a factual reply stating the course of events and restricting our comments on the question of the exact position of the Interim Government. I feel certain that any attempt to go into details will lead to questions and trouble in India.' Mr Alexander made similar observations on the passage in a letter of 27 September. *Ibid.*: ff 71, 68, 66. As a result the India Office prepared a shorter draft (*ibid.*: ff 62-3) but it was not, in the event, used in Parliament.

² Vol. VII, No. 409. ³ Vol. VII, No. 262.

4. Having regard to these pronouncements, my proposal is that we should have in mind as the field within which it might be necessary to exercise the powers of direction and control vested in myself and Parliament and exercisable through you the following matters:—

- (a) the protection of the legitimate interests of the minorities;
- (b) the protection of the rights of those officers of the Civil Services who were appointed by the Secretary of State for India;
- (c) the control of the British troops which will continue to be stationed in India, viz., the way in which they are employed and the protection of their rights;
- (d) the protection of the rights of British officers of the Indian Defence Forces;
- (e) the fulfilment of international treaty obligations entered into by His Majesty's Government in the United Kingdom as the authority responsible for the external relations of India;
- (f) the fulfilment of the obligations of the Crown towards the Indian States;
- (g) the discharge of the ultimate obligation of the government to maintain peace and order.

I do not of course intend this list as an exclusive catalogue of the matters in which it might be necessary for us to contemplate exercising control but merely as a broad list for our own guidance of the matters which should be handled in the preliminary stages in a way which would not be inconsistent with such action if it should become necessary. You will observe that this list differs in some important omissions from the matters for which the Governor-General was to have a special responsibility under Section 12 (1) of the Act of 1935 and, further, that the position under what I have suggested above would be in advance of that laid down in the Act of 1935 in that the External Affairs and War portfolios will be in the hands of Indians. This makes necessary the inclusion in the list which I have given you above of items (c), (d) and (e) which, under Federal provisions, would have been in the Governor-General's exclusive "discretionary" range of authority.

5. I have assumed from the general tenor of our discussions while the Mission was in Delhi that you would be entirely opposed, as I am myself, to any public definition by way of a statement in Parliament of the field in which His Majesty's Government, and you as their Representative in India, propose to regard as that in which they have a continuing responsibility, and for that reason it is probable that in the draft statement for use in the Debate which I shall be sending you separately, I shall avoid particularising except by way of example, choosing for that purpose matters which it seems to me should be least contentious from the point of view of your new Government. I should be grateful

if you would confirm that this is a correct appreciation of your view and would also let me have as soon as possible by telegram your views on the definition of those responsibilities which is set out in this letter. The matter is somewhat urgent because the final text of the instructions to the High Commissioner will shortly have to be approved and if, as seems to me desirable, he is to be instructed to keep off—until instructed to the contrary—from any matters within this field, it is necessary to agree upon its extent before these instructions are finalised.

6. I should explain that I have not consulted my colleagues on the matters contained in this letter, and that I am only asking for your comments on suggestions which I may myself wish to modify later in discussions with them. But I am anxious to have some indication of your views at this stage.

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Mr Burke to Mr Attlee

R/30/1/8a: ff 48–50

6 September 1946

Prime Minister.

When Mr. Ghosh telephoned today, I offered to see him in case he was reluctant to put down his message to you in writing.¹

Mr. Ghosh handed me the attached telegram from his wife and then read me certain general passages from an airmail letter, also from his wife. He said that the telegram, although not signed by Gandhi, had been written by him. It was an extremely serious message, for Mr. Gandhi weighed his words with the greatest care. If, in his view, a repetition of the tragedy in Calcutta was a certainty unless action was taken by His Majesty's Government, then the greatest attention ought to be paid to his warning.

Mr. Ghosh then expressed his own view, which he said was shared by most of the Congress leaders, that the Viceroy was not the right man in the right place. The relationship between Nehru and the Viceroy could only work if the personalities were sympathetic. He believed that the most important step was to replace Lord Wavell.

Mr. Ghosh also handed me the attached cutting² and pointed out that the

¹ Mr Ghosh had previously telephoned on 4 September asking for a very few minutes with the Prime Minister in order to show him the messages just received from Mr Gandhi. Mr Attlee minuted, however, that 'Mr Ghosh can forward his telegram and letter to me and I will read and return them. An interview would be undesirable.' Notes by Mr Burke and Mr Attlee, 4 September 1946. Attlee Papers, University College, Oxford.

² Cutting not traced.

comments on the Moslem riots had been written by an independent Englishman whose sympathies were not with Congress.

I was not very favourably impressed by Mr. Ghosh. He seemed excitable, confused and inclined to draw attention to the importance of his work as an intermediary during the recent discussions in India.

J.B.

Enclosure to No. 272

Mrs Ghosh to Mr Ghosh

Telegram

NEW DELHI, 27 August 1946, 11.30 am

Gandhi says Viceroy unnerved owing Bengal tragedy. Please tell friends he should be assisted by abler and legal mind otherwise repetition tragedy certainty.

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Lord Pethick-Lawrence to Mr Attlee

R/30/1/8: ff 48-50

INDIA OFFICE, 6 September 1946

Secretary of State's Minute: Serial No. 50/46

Prime Minister.

You will remember that when I spoke to you after the Cabinet on August 14th,¹ about recruitment to the Secretary of State's Services in India (Indian Civil Service, Indian Political Service and Indian Police) you took the view, with which I concurred, that we should confine the announcement (which in fact issued on 19th August) to cancellation of the appointment of "war service" candidates, and should not specifically at this juncture, make any statement of a general character relating to any subsequent recruitment to the Secretary of State's Services.

I accordingly carried this out both in the announcement here and in my instructions to the Viceroy about the announcement in India. I attach for reference a copy of my telegram to the Viceroy.² The Viceroy has now replied in his telegram No. 1843-S³ of which a copy has already gone to you (I attach copy for reference).

Subject to your approval I propose to send the Viceroy a telegram, a draft of which I attach.⁴

Alternatively, we could, of course, wait for the I. & B. Committee to meet and settle the whole matter then; but it seems to me quite possible that the question may arise in the Interim Government in India before the I. & B. meeting is held and to meet that eventuality the Viceroy needs to have an answer which he could authoritatively give at once.

[Para. relating to the Secretary of State's Services in Burma omitted.]

Both as regards India and Burma, it is clearly necessary for my departmental officials to be in a position to answer enquiries from individuals who ask whether there is any chance of their candidature being accepted for one of the Secretary of State's Services at some future date. Even if there is no public announcement it is, I think, only right that such enquirers should be told that there is no present intention of undertaking further recruitment.⁵

PETHICK-LAWRENCE

¹ No. 149. ² See No. 149, note 5. ³ No. 247.

⁴ This was the same as No. 279. ⁵ Mr Attlee approved this Minute on 7 September.

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Minutes by Mr Abell and Field Marshal Viscount Wavell

R/3/1/124: f 110

7 September 1946

Two telegrams below from S/S.¹

I am afraid these take us little further. The S/S thinks the Congress must have a "concession", or they will make none to the League. This may be true, but all we want is to assure the League that they will get what they were promised in the statement of May 16! What the Congress are offered in return is (1) a peaceful India and (2) a united India—no mean considerations.

Mr. Menon will come round to discuss these telegrams with me tomorrow morning. Meanwhile to facilitate reading I have had the S/S's amended version of the formula² typed out opposite Y.E.'s version.³

G. E. B. ABELL

I have no time at the moment to go into the intricacies of this, but it looks to me both dishonest and cowardly. I will discuss tomorrow.

W.

¹ Nos. 268 and 269. ² No. 219 with the addition in No. 269.

³ No. 219 with the modification in No. 255.

275

Note by Sir B. N. Rau (Extract)

R/3/1/124: ff 169-73

Note handed over to the Vice-President of the Interim Government on 7.9.1946

Note on Point I.¹

It has apparently been felt in certain quarters that the Constituent Assembly should meet only after the controversy about the "grouping clause" has been laid at rest. There is some misapprehension in this matter and the present note may help towards clearing up the position.

The Cabinet Delegation's Statement of May 16, 1946, has not been drafted with the precision of a statute; but it is now being looked upon as a kind of fundamental law and questions of interpretation will doubtless arise from time to time, even apart from the grouping clause. To mention only one, a controversy has already arisen about the precise meaning of the phrase "the member representing Delhi in the Central Legislative Assembly" in the Note under paragraph 19(i). Does this mean the member representing Delhi at the date of the Statement, or, does it mean the member representing Delhi for the time being? If it means the latter, Delhi's representative in the Constituent Assembly will change with every change in Delhi's representation in the Central Legislative Assembly. If, on the other hand, the reference is to the member representing Delhi on the date of the Statement, he will continue to be Delhi's representative in the Constituent Assembly irrespective of any such change. There may be other words or phrases in the Statement requiring interpretation and the Constituent Assembly may wish to prescribe some special procedure for the purpose. It may be mentioned that in the House of Commons in England there is an officer known as the "Speaker's Counsel" whose function it is to assist the Speaker and the House generally in all legal and quasi-judicial questions. On this analogy, the Constituent Assembly may properly set up a special officer or tribunal of its own to assist in deciding questions of interpretation, or, if it thinks fit to go outside and if the Judges of the Federal Court agree, it may refer any questions to the Judges for an advisory opinion.

Turning to the "grouping clause", I feel that one point needs emphasising: the term "Section" as used in the Cabinet Delegation's Statement of May 16 has not the same meaning as the term "Group". For example, according to that Statement, the representatives of Bengal and Assam must sit together in Section 'C', but whether a Group is to be formed is a matter for the Section to decide. What is compulsory under the plan is the sitting together in the Section, but what is not compulsory is the formation of the Group. If the Section decides not to form a Group, there is an end of the matter. But even if the Section

decides to form a Group, it will still be open to an unwilling Province to opt out after the first general elections held under the new Constitution. To belong to a Section is one thing; to form a Group is quite a different thing. There is no conflict between the provision that gives Provinces freedom to form groups and the provision that compulsorily assigns them to a Section.

I have laboured this point, because it has been the source of much confusion in the past. Even the Cabinet Delegation did not always remember to use the right word: e.g., in paragraph 8 of their Statement of May 25, they said, "The reasons for the *grouping* of the Provinces are well-known and this is an essential feature of the scheme". What they meant by "grouping" here was obviously no more than putting [sitting] together in a *Section*. Any doubt on this point has been removed by paragraph 3 of the Viceroy's letter to Maulana Abul Kalam Azad² dated June 15, 1946: "I would however point out that the Statement of 16th May does not make grouping compulsory. It leaves the decision to the elected representatives of the Provinces concerned sitting together in Sections. The only provision which is made is that the representatives of certain Provinces should meet in Sections so that they can decide whether or not they wish to form Groups. Even when this has been done the individual Provinces are still to have the liberty to opt out of the Group if they so decide."

I venture to suggest that this evening's broadcast³ affords a good opportunity for removing all the misapprehensions that have gathered round this subject. It might be worth while to accept unreservedly the position that the representatives of the Provinces must sit together in the several *Sections* for the purpose of settling the Provincial Constitutions and deciding whether Groups should be formed. What procedure the Sections will adopt for these purposes will, of course, be left an open question. To illustrate. The representatives of Assam will be free to press all their objections to grouping when sitting in the Section in which they have been placed, and to propose that following the U.S.A. and Canadian precedents, voting within the Section should always be by Provinces. Failing this, they can urge that, at least on the question of forming Groups, such should be the mode of voting, because of the recommendation in the Cabinet

¹ Earlier in his Note, Sir B. N. Rau listed points which had been mentioned during a conversation with Pandit Nehru on 5 September 1946. ² Vol. VII, No. 541.

³ Pandit Nehru was broadcasting on the new Interim Government that evening. In the course of his broadcast of 7 September Pandit Nehru said:

'There has been much heated argument about sections and groupings in the Constituent Assembly. We are perfectly prepared to, and have accepted, the position of sitting in sections, which will consider the question of formation of groups. I should like to make it clear, on behalf of my colleagues and myself, that we do not look upon the Constituent Assembly as an arena for conflict or for the forcible imposition of one viewpoint over another. That would not be the way to build up a contented and united India. We seek agreed and integrated solutions with the largest measure of goodwill behind them.'

See *Independence and After: A collection of the more important speeches of Jawaharlal Nehru from September 1946-May 1949* (New Delhi, Govt. of India, 1949), pp. 339-43.

Delegation's Statement that Provinces should be free to *form groups*—not merely to opt out of a Group after it is formed, but to decide whether to form a Group at all. Failing this also, they can press for a constitutional framework such as the following:—

The Provincial Constitutions and the Group Constitution should be in separate Parts of the Constitution Act—say, Part I and Part II respectively. Part I will come into operation, say, on January 1, 1948; *Part II will not come into operation until the new Assam Legislature elected in accordance with Part I has by resolution accepted Part II.*

Under such a scheme, Assam would be deciding for herself whether to go into the Group under Part II or to opt out of it. There are other alternatives open. But all this relates to *procedure in Section 'C'*—a matter which can be raised after and only after Assam goes into the Section.

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Sir H. Dow (Bihar) to Field Marshal Viscount Wavell (Extract)

L/PEJ/5/181: ff 72-3

D.O. NO. 241-G.B.

7 September 1946

2. It has been an extremely anxious time, and it is with some relief that I record that we have got over the Id festival and also the assumption of office by your new Government without any widespread disturbances in Bihar. But a very serious state of tension and nervousness between the two main communities still persists almost throughout the province. This would in any case have been an inevitable result of the carnage in Calcutta, from which place many thousands of Biharis have returned spreading tales, which may be true but are one-sided, of the horrors which they have witnessed and suffered from there. But the soil of Bihar has been well prepared to grow a rank and noxious crop. For many months past every kind of extremist agitator has been stumping the country making the most violent speeches, confident that the Ministry would permit no action to be taken against them. The Ministry have assisted the undermining of the authority and prestige of district officers, and even when exhorting officers to do their duty have done it in a hectoring manner, threatening them with punishment rather than encouraging them by any hope of advancement or reward. In many places local Congress M.L.A.s have been allowed to behave as if they were the real executive of their areas. And, perhaps worst of all, the way in which the police have been handled has caused considerable doubts as to their dependability in an emergency, both in the minds of their own officers and in the general public. It is therefore satisfactory to be able to say that the police as a whole have done excellent work during these anxious

days. They have been on their toes ever since the Calcutta riots started and have averted many ugly clashes. I have persuaded my Prime Minister to agree to issue to them a message of appreciation and encouragement, and hope he will do it a little more gracefully and ungrudgingly than is his wont.

3. I am not without hopes that there will be an improvement in some directions as the result of a Congress Ministry at the Centre, and the sobering effect of Calcutta on some of the leaders of extreme groups. It should be all to the good that Jai Prakash Narain has been roped into the A.I.C. Working Committee, for he can hardly, under its aegis, continue his open attacks on the Congress and his incitations to violence (my Premier, however, says that he thinks he will). It also appears to be true that Jaipal Singh, leader of the Adibasi separatist movement, definitely refused to attend the mass meeting on the Maidan at Calcutta at which he was billed to speak, on the ground that he saw that a clash was imminent as the audience were armed with deadly weapons. He has also refused assistance to Dr. Khan, the Muslim League leader in Jamshedpur. I do not know that Jaipal Singh is opposed to violence, but he is not willing to be associated with the Muslim League in any communal strife. I wish the Congress High Command would do something to damp down the more redoubtable fire-eaters of the Hindu press, who are now one of our greatest dangers. My own Ministry has decided to demand security from a small Muslim League paper, the *New Life*, whose incitements are not noticeably worse than those of the Hindu papers. My Ministers find themselves rather in the position of "Gracchos de seditione querentes".¹ I have no doubt that their discriminatory attitude towards the opposition press will attract attention, and it may eventually lead them to display their impartiality by giving a little advice to their own.

¹ 'Quis tulcrit Gracchos de seditione querentes?' Who could endure the Gracchi complaining about sedition? Juvenal, *Satires*, II, 24.

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Mr Clauson to Mr Burke

L/PEJ/10/49: ff 19-20

INDIA OFFICE, 7 September 1946

Dear Burke,

I return herewith the telegram dated August 24th¹ which Mr. Frank Anthony, President in Chief of the Anglo-Indian Association, addressed to the Prime Minister and which you sent over to this Office.

The Prime Minister may wish to have a brief account of the position of the Anglo-Indian community in relation to the recent constitutional negotiations.

¹ No. 200.

The long term plan formulated in the Statement issued by the Cabinet Mission and the Viceroy on May 16th last made no specific mention of this small community, numbering some 140,000 (see P.S.). They were not given separate representation in the Constituent Assembly, but, with other minor minorities, such representation as they could obtain by proportional representation within the general community, comprising the Hindus and smaller minorities. To ensure a means of securing full consideration of the claims of these smaller minorities the Statement of May 16th provided for an Advisory Committee on the rights of citizens, minorities and tribal and excluded areas containing due representation of the interests affected (paragraphs 19-20). Although the composition, functions and powers of this Advisory Committee have been left to be determined by the Constituent Assembly itself, the Cabinet Mission certainly assumed that the Anglo-Indians would be one of the minorities which would be represented on the Committee, and with the protection of whose interests the Committee would be concerned.

The Anglo-Indians, or at least their spokesmen, were not satisfied with these arrangements and have made vigorous protests to the effect that the community should have been given specific representation in the Constituent Assembly or, in default of this, that the Mission's recommendations in regard to the composition and powers of the Advisory Committee should have been more definite. This dissatisfaction, and their fear for their position in an independent India, have led them to identify themselves to an increasing extent with Indian nationalist opinion and to associate themselves with Congress. With the help of the latter they have secured three seats in the elections to the Constituent Assembly.

The Anglo-Indian community have also urged their claim to a representative in the Interim Government. Both the Government which the Viceroy proposed to form under the Cabinet Mission's Statement of June 16th, and the new Government which is now in office include representatives of the Parsees who are in fact a smaller minority than the Anglo-Indians. But Mr. Anthony came very near to being included in the present Government, and he is probably aware of at least some of the main facts, which are as follows:—

In response to the Viceroy's invitation to submit proposals for the formation of an interim Government, Pandit Nehru put forward fifteen names, including that of Mr. Anthony.² The remaining fourteen names were divided among the various communities in exactly the same proportions as had been proposed by the Cabinet Mission and the Viceroy in the Statement of June 16th. One of Mr. Jinnah's complaints is that in the course of the negotiations for the formation of an Interim Government the number of minority representatives whom it has been proposed to include has been increased, first from two to three and then from three to four. He holds with considerable justification that these representatives are likely to be more sympathetic to Congress than to the

Muslim League; hence every addition to their number increases the anti-League majority in the Government. In the circumstances the Viceroy thought that to increase the total to 15 would diminish the chances of securing Muslim League participation in the new Government. He was prepared to include Anthony in that number though he does not consider him really competent to control a Department of the Government of India.³ Nehru, however, declined to include Mr. Anthony in a total of 14 and he was therefore omitted.⁴

The Viceroy has suggested to Pandit Nehru as a possible solution that Mr. Anthony might be found a place as an Under-Secretary in some Department, as he thinks that some of the heavily worked Departments may need Parliamentary Under-Secretaries. It is still possible that this suggestion will be put into effect.

The Secretary of State considers that as Mr. Anthony is the recognised leader of the Anglo-Indians it would be appropriate to send him an acknowledgement on the Prime Minister's behalf but that it should not comment on the points made. The fact is that in present circumstances there is little or nothing we can do which would be of any real help to the Anglo-Indians.

Yours sincerely,

M. J. CLAUSON

PS.

The number of 140,000 for the Anglo-Indian community given in para. 2 above, is taken from the 1941 census. Mr. Anthony himself claims that there were also at that time over 100,000 "domiciled Europeans" who he claimed should be considered as Anglo-Indians. Thus he claimed that the figure for Anglo-Indians in 1941 should be taken as 270,000 and by the present date he estimates the community to number about 400,000.

² No. 182.

³ No. 191.

⁴ No. 192.

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Minutes by Mr Turnbull and Sir D. Monteath

L/PE/J/8/648: ff 81-3

7 September 1946

PROBABLE DEADLOCK IN THE SIND LEGISLATURE

The party position in the Sind Legislature after the Provincial election in the Spring was:—

Congress	22
League	27
Nationalist Muslims	4
Syed Party	4
Europeans	3
	<hr/> 60

The League Ministry has therefore 50% of the votes if it has European support, but if one of its Members becomes Speaker requires the support of two independent Muslims to give it a majority.

The Governor called on the League to form a Government as being the largest party and they have survived until now, but since July it has been claimed by their opponents that they do not command a majority. The Governor was criticised in August¹ for proroguing the Legislature after the Constituent Assembly election without allowing a vote on a motion of no confidence. The present session has been convened to put the Government's position to the test.

The Governor and the Viceroy envisage a situation in which the Legislature cannot function because neither side will provide a Speaker and thereby give a majority to the other side.² The Speaker under S.66 of the Act "shall not vote in the first instance, but in the case of an equality of votes shall exercise a casting vote." The expected situation is that whichever side provides a speaker will not achieve an equality of votes. The Governor proposes to dissolve and have a fresh election, and the Viceroy is inclined to support this. The alternative is said to be S. 93.

Constitutionally it would seem that the correct course would be to send for the Congress leader and ask him to try to form a Ministry. If the Europeans decided to support such a Government and if the 8 non-League Muslims supported it it would have a majority of 2 after providing a Speaker. But the Syed party profess to support the Muslim League in all India policy and their quarrel with the Muslim League in Sind is a local affair. They might refuse, or require high remuneration, to support such a Government. Such a Government could not be stable, but it might be as stable as the present one.

The objection to this course is that Sind is a Muslim majority province; the Muslims are 3.2 out of 4.5 millions. The Governor told me in Karachi that his Police and Services were largely Muslim and that if their loyalty broke the administration would be completely helpless. In the present all India situation a Congress coalition in Sind would be a pretty provocative step. It might well make Jinnah's return to cooperation even more difficult.

I submit a draft to the Viceroy mentioning the possibility of a Congress government but agreeing to a dissolution, if necessary.

F. F. TURNBULL

[P.S.]

The decision whether to dissolve is for the Governor in his discretion —S.62(2).

As I see it, if the Congress could count for certain on 3 European votes and 4 Syed group as well as 4 Nationalist Moslems they would have a majority of 5 even after providing a Speaker ($22+3+4+4-1=32$ against 27). But if the

Syed group would not support Congress it would be a case of 28:27 with 4 votes in the air—or more probably 28 to 31—which is not a Congress Ministry proposition at all.

Sir F. Mudie's letter of 21 Aug³ (Pol 9919/46—herewith) is not irrelevant. It shows that there are 4 election petitions pending the result of which is expected to be that the Opposition would lose some of the 4 seats to the League. This prospect seems to render even more unpractical—however correct—an invitation to Congress to try to form a Ministry from the Assembly as now constituted and as amended by the by-elections.

I have, in the light of the above, somewhat modified para 4 of the draft.⁴

D. T. M.

¹ In fact the prorogation took place in July.

² See No. 267.

³ L/P&J/5/262: f 56.

⁴ Submission approved by Lord Pethick-Lawrence on 7 September. See No. 287 for the telegram as sent.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/SE&G/7/263: ff 17-18

IMMEDIATE

INDIA OFFICE, 7 September 1946, 5 pm

16393. Your telegram 3rd September, 1843-S.¹ It is not the intention of H.M.G., having cancelled "war service" recruitment, to proceed with any further recruitment to Secretary of State's Services. We recognise in any case that young men recruited in ordinary way now, would not be of effective use for five or six years, and therefore on present reckoning of likely developments in India it would be wrong to contemplate any further recruitment.

2. We are quite willing that if you are asked by Nehru or members of your Interim Government, or if you feel that for some other reason it is appropriate to tell them, you may make known this intention to members of your Council on behalf of H.M.G.

3. But it does not seem to me necessary to make any public announcement to this effect at present time. I should indeed have thought that fact we are not proceeding with "war service" recruitment would be fairly definite indication that general cessation of recruitment was policy of H.M.G.; but if you press strongly for such public announcement I am prepared to bring matter before my colleagues for consideration.

4. In last sentence of your telegram of 11th August, 1658-S,² you refer to proposed establishment of Central Service under Government of India. I should

¹ No. 247.

² No. 139.

be glad to know what progress has been made with proposal and to have information of details of the scheme if it has matured. How soon do you anticipate that recruitment to such a service might begin?

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Field Marshal Viscount Wavell to Pandit Nehru

Wavell Papers. Official Correspondence: India, January 1946–March 1947, p. 148

No. 1322–G.G.

8 September 1946

Thank you for your letter of the 5th September.¹ I will discuss it with you on Monday when we meet, but perhaps I should correct what appears to be a misapprehension in your mind about the constitutional position *vis-à-vis* the provinces. In the field of provincial autonomy, the Central Government as such cannot interfere with a province. The only control from the Centre is exercised through the superintendence and control of the Governor-General over the Governor when the latter acts in his individual judgment or discretion. In such cases the Governor-General exercises his control and superintendence in his personal capacity and not as the Governor-General-in-Council.

¹ No. 259.

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Pandit Nehru to Field Marshal Viscount Wavell

Wavell Papers. Official Correspondence: India, January 1946–March 1947, pp. 149–50

8 September 1946

Thank you for your letter of the 8th September.¹ I am aware that legally speaking the constitutional position *vis-à-vis* the Provinces is that the Central Government is not supposed to interfere in provincial subjects. I had suggested no such interference. But in view of the change at the Centre it seems to me that the old legal position regarding the Governor necessarily undergoes some change also by convention and practice. Otherwise there may be conflict between the Governor-General in Council and the Governor-General acting in his individual capacity or discretion. There are a number of matters which are at present to be dealt with by the Governor-General in his individual capacity. If they are decided in a manner which does not fit in with the general policy of the Central Government, there will be difficulties and friction. The natural

development following the recent changes in the Government at the Centre is that all such matters in the Governor-General's discretion might be considered by the Governor-General in Council. Even if this is not done formally, an informal consultation appears to be necessary to avoid conflicting policies being followed. This does not affect the strict legal position.

I drew your attention to the developments in Sind because the activities of the Governor there had been obviously partial and in some cases undesirable. These activities appear to be continuing, and only today I heard that he had suddenly postponed the meeting of the adjourned Sind Assembly to the 14th. Why he had done this is not clear, and normally this would be considered a very unusual course even though it might be within his competence. What happens in Sind or elsewhere affects the whole of India, and the Central Government has to face the consequences. Even apart from our interest in Sind, we cannot remain silent spectators of developments which would create trouble in the whole of India. We have to face a difficult situation in the country and every act has its repercussions elsewhere. It will become impossible for such a situation to be handled satisfactorily if a policy is pursued in one part of India which adds to the difficulties in another part. The problems are not isolated but closely interconnected. When a Governor acts in a way which not only seems to us constitutionally improper but also is definitely harmful, we have to take notice of this fact. The position in Sind has been deteriorating for some time in the past and, as far as we can see, the Governor has helped in this process. This brings not only the Government of Sind but the Governor also into disrepute. The Cabinet cannot ignore these developments which affect it so vitally.

You have, no doubt, followed the statements and speeches delivered by some of the Ministers of the Bengal and Sind Governments as well as in the press supporting them. There are open incitements to murder. The Bengal Prime Minister, in the course of an interview to the foreign press on the 22nd August, stated that if Bengal's Muslims take to the war path "there will not be a single Hindu left alive in eastern Bengal". Whether all this is the responsibility of the Governor-General alone or the Governor-General-in-Council may be a legal point for consideration. Meanwhile the incitements to violence and murder continue and affect the entire situation in India for which the Central Government is responsible.

¹ No. 280.

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Note by Pandit Nehru

R/3/1/124: ff 163-6

8 September 1946

CONSTITUENT ASSEMBLY

Sir B. N. Rau has sent me a note¹ on various points arising in regard to the Constituent Assembly.

2. The note draws attention to various points for early decision. Sir B. N. Rau has quoted certain precedents which might help us in coming to decisions.

3. The Constituent Assembly will itself make its own rules of procedure. At present all that has got to be done is to arrange for preliminary steps to be taken for the Assembly to meet.

4. *Date:* The first point is about the date of the Assembly. It is obviously desirable for the Assembly to meet in a peaceful atmosphere when all its members are taking part. Unfortunately, the Muslim League has for the present decided not to participate in the Constituent Assembly. Whether this decision will be revised or not I cannot say. It should be our attempt to induce all the members of the Constituent Assembly to take part in it. In my broadcast last night² I made some such attempt and tried to make it clear that our conception of the Constituent Assembly was not one where different groups came into constant conflict with each other, but rather one where a spirit of co-operation prevailed and there was every attempt to get mutually agreed decisions. I further made it clear that we had accepted sections. There had been some confusion about sections and groups. Sir B. N. Rau has pointed this out. It is the sections that are compulsory and then the section decides in regard to the groups.

5. While we should invite and make easy for all to join the Constituent Assembly, it is obvious that the Assembly cannot wait indefinitely because some of its members are not prepared to participate in it. That will be a fatal mistake and would put an end to the very conception of the Constituent Assembly. Therefore, it becomes essential for a proper date to be fixed for the meeting of the Constituent Assembly. That date cannot be too far off for various obvious reasons. It is necessary also to fix the date, because other dates depend upon it, such as the date of the meeting of the Central Legislature. Sir B. N. Rau has suggested two possible dates for the Constituent Assembly, one from October 14th to October 22nd, the other from November 11th to November 19th. I am definitely of opinion that the earlier date should be preferred and that the Central Legislature should meet after the first session of the Constituent Assembly.

It seems to me that the nine days allotted for the C.A. by Sir B. N. Rau are hardly enough. We should have a clear fortnight for it. After that it may adjourn and its committees may start working.

6. It will be necessary for us to fix the date of the Central Legislative Assembly. In fixing this we shall have to bear in mind various important holidays like the Poojas, Moharrum, Divali, etc. Also, the annual session of the National Congress has been fixed for the 21st of November. This means that the week beginning from the 18th November will be taken up by the Congress session.

7. *Admission of press and public:* All we have to decide is what should be done on the first day of the C.A., because subsequent decisions will be taken by the C.A. itself. I think that on this first day the Press should be admitted as well as a limited number of the general public. Accommodation being very limited, not many people can be so admitted. Sir B. N. Rau refers to considerations of safety. Steps should be taken to provide for this.

8. *Broadcasting:* I see no objection to broadcasting of the proceedings of the inaugural session of the C.A. Subsequent sessions are likely to be *in camera*.

9. *Provisional Chairman:* It appears to be more or less agreed that the provisional Chairman should be the oldest member of the C.A. Probably Dr. Sachchidananda Sinha is the oldest member and he will make an excellent Chairman.

10. *Medical Aid:* This question requires no decision of policy. Obviously some arrangements for medical aid should be made and if the American hospital near the Willingdon Aerodrome is available that would suit our purpose very well and would also be useful to the general public. The Public Health Department might consider this matter and report.

11. *Sir B. N. Rau's pamphlets:* Sir B. N. Rau has prepared a number of leaflets and pamphlets on the various issues before the C.A. I have read most of them and I find them very helpful. I think they should certainly be printed in convenient book form all together and sent to all the members of the Constituent Assembly as soon as they are ready. This will give them time to study them before the meeting of the C.A. Sir B. N. Rau is apprehensive of publicity being given to these pamphlets. I do not think it matters very much if any of them are published in the newspapers, though I should like to avoid this publicity. They may be issued to members as "confidential documents, not intended for publication". Obviously, they cannot remain private and parts of them may appear in the press. I am quite prepared to take the risk. Apparently the pamphlets have been written very objectively and not with a view to support any particular thesis.

¹ See No. 275 for an extract from this note.

² See No. 275, note 3.

12. *Reference and Research Section*: I think such a section should be immediately constituted. Of course, the Constituent Assembly itself will finally decide about this matter, as about other matters. But it is desirable that the section should begin functioning and collect material before the C.A. meets.

13. *Convening of the C.A.*: Two proposals have been made:

- (i) that the temporary Chairman should convene the C.A.
- (ii) that the Viceroy should convene it on the advice of the Interim Government. In doing so it would be clearly stated that the Viceroy was acting at the request of the Interim Government.

I see no objection to either of these proposals.

14. Final decisions on these matters will have to be made at a formal Cabinet meeting. I suggest, however, that the necessary papers might be circulated among members of the Cabinet who will first consider them informally and then a formal reference can be made to the full Cabinet.

15. A copy of this note might be sent to Sir B. N. Rau.

J. NEHRU

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Mr Abell to Field Marshal Viscount Wavell

R/3/1/124: f 115

8 September 1946

Y.E. may find the note¹ by Sir B. N. Rau below interesting. I have sidelined in blue the parts of general application, but much of the rest is interesting. Mr. Menon tells me that Sir B. N. Rau hopes to persuade Pandit Nehru and the Congress that they should declare that the Sections will frame their own procedure. This really goes as far as the Secy. of State's formula because if a Section can frame its procedure, it must decide by a majority vote in the first place whether future voting will be by majority or by Provinces, whether the Sections will frame the Provincial constitutions, whether such constitutions should be referred for comments to the Provincial Legislatures, etc., etc. If it were once established that the Sections would frame their own constitutions, this, combined with Nehru's statement that the Congress would definitely enter the Sections, gives Jinnah all he requires in Sections B & C. Even if the Congress were to raise the point in the Sections that voting must in any case be by Provinces they would not be able to secure even a reference to the Federal Court against the wishes of the majority because there is no provision in the Statement of May 16th that disputed points of interpretation should go to the

Federal Court, or even that there should be a special procedure in the case of major communal issues.

2. This seems to me a promising line of approach, and if the Congress would agree to this, it might be enough to reassure the Muslim League in regard to the grouping. Mr. Menon will report developments tomorrow.²

G. E. B. ABELL

¹ The note in No. 275 though not placed near this document on the file is presumably the one referred to here.

² In a minute of 9 September Lord Wavell recorded that Pandit Nehru was 'not very forthcoming about this.'

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Note by Field Marshal Viscount Wavell

R/3/1/124: f 116

8 September 1946

NOTE OF H.E. THE VICEROY'S INTERVIEW WITH THE HON'BLE
MR H. S. SUHRAWARDY, CHIEF MINISTER OF BENGAL,
8TH SEPTEMBER 1946

Not very satisfactory. He said he had had a number of talks with Jinnah, but had nothing to propose from him except that he would come and see me if requested. Jinnah had refused to put down the points on which he wanted satisfaction. I gather in fact that Suhrawardy had got no change out of Jinnah at all. Jinnah will not let him form a Coalition Ministry. I gather he proposes to reconstitute Ministry with some additional Minority representatives. He spoke of the terrible result in Bengal if his Ministry fell. The rest of the talk was on the old lines: Muslim League had agreed to accept long-term policy, trusting in good faith of British Government and goodwill of Congress, and had got neither. He made the usual accusations against Hindus of wanting to dominate Muslims and being prepared for a holocaust of Muslims, if necessary. I emphasised that if the leaders talked in this spirit, we should get no further and would have disasters. I said I was doing my best to help the Muslims but I must have some accommodation from them. We had some talk on the Nationalist Muslim issue, and I said that I could not support Jinnah on this.

My general impression is that Jinnah is worried but still stands on the personal prestige issue. Suhrawardy said Jinnah would not come as a suppliant, etc. Suhrawardy himself is very obviously worried. I emphasised the bad press that

the Muslims were getting by their present attitude, though I admitted that they had had much provocation.

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Mr Attlee to Lord Pethick-Lawrence

L/P&J/8/648: f 77

10 DOWNING STREET, WHITEHALL, 8 September 1946

Prime Minister's Personal Minute: Serial No. M 299/46

Secretary of State for India.

I should have thought it madness to have an election in Sind of all places at the present moment.¹

C. R. A.

¹ Mr Attlee had evidently received a copy of No 267

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/PO/6/118: ff 117-36

TOP SECRET

THE VICEROY'S HOUSE, NEW DELHI,

No. 592/59

8 September 1946

My dear Pethick-Lawrence,

I have not yet replied to your letter of the 19th August¹ because I have been busy on the preparation of a Breakdown Plan. This I now send you with a covering note for the Cabinet. I hope it will be considered very urgently.²

[WAVELL]

NOTE BY THE VICEROY

TOP SECRET

7 September 1946

A short time ago I formed a small Committee to consider a plan for withdrawal from India in the event of a political breakdown, on a general outline which I placed before the Committee.

The Committee consisted of:-

Sir Arthur Waugh, then Home Member
 Sir Eric Conran-Smith, then Member for War Transport
 Sir Eric Coates, then Finance Member
 Lt.-General Sir Arthur Smith, C.G.S.,
 Mr. A. E. Porter, Home Secretary, and
 Mr. G. E. B. Abell, my Private Secretary.

After several meetings between themselves, and references to myself, the attached basic plan has been drawn up. It has been prepared with great secrecy and at present is known only to the Members of the Committee and to myself, and to the Commander-in-Chief, who was consulted on his return from the United Kingdom. The Commander-in-Chief agrees with the note generally as the best solution of our difficulties if we cannot get the parties to co-operate in producing a solution. In Appendix III he has stated the probable effects on the Indian Army.

I consider it essential that we should have some such plan for the withdrawal from India; and I must request the orders of H.M.G. on it at a very early date. I can then proceed to work out details.

In view of the importance of the matter, I suggest for H.M.G.'s consideration that consultation with the Opposition and the Dominions may be advisable. But I must insist on the need for an immediate decision.

A POLICY FOR INDIA

TOP SECRET

Most of our attention has been focussed on the political situation in India as a possible cause of crisis and breakdown. But, whatever the political situation may be, there is also an administrative limitation to the continuance of our control. In assessing this limitation I assume that H.M.G. would not be prepared to change their policy and announce a decision to continue to rule in India for fifteen or twenty years. An announcement of this kind would change the whole position because it would rally support to our side and would involve the immediate reinforcement of the Services. On the assumption however that no such change of policy will be made, I consider that on administrative grounds we could not govern the whole of India for more than a year and a half from now.

2. The first reason is that in India one must either rule firmly or not at all.

¹ No. 177

² Lord Pethick-Lawrence minuted on this letter. 'My view is th[at] this sh[oul]d not go now to whole Cabinet. P.M. sh[oul]d have it at once and decide who is to see it. It should have a most strictly limited circulation inside the I.O. under especially strict terms of secrecy.'

With a largely uneducated and highly excitable people, easily moved to violence, it is essential that agitation and incitement to unbridled riot should be stopped at once. Now that all political agitators are at large and complete freedom of speech is allowed, the situation soon becomes highly dangerous. The present policy must result in a degree of licence and weakness in the administration that cannot continue for long. It also means danger to the safety of the European population.

3. The second reason is that the machinery on which our control of India has depended is rapidly running down. The officials of the Secretary of State's Services have always been few in number and their effect has depended on their prestige, their confidence that they can rely on the support of the Government, and their solidarity. The first two advantages have been affected by political changes. Their solidarity has suffered as a result of Indianisation and a tendency in recent years for some Indian members to adopt a communal or political outlook. Owing to these influences, together with the suspension of recruitment during the war and retirement of senior men, the Secretary of State's Services have become a rapidly diminishing force, in numbers and in power.

4. The position is much the same in the Provincial and subordinate Services, both administrative and police. These have been much diluted during the war; and service traditions have been weakened. Communal or sectional interests are now powerful and loyalty to Government has been undermined partly by political propaganda and abuse and partly by the knowledge that British control will soon terminate and that the Services must look for their prospects to new masters. It is, therefore, no longer possible to rely implicitly upon them to carry out the orders of a British Government.

Similar considerations apply also to the Army, though at present in a much less degree.

5. In view of the above, it is probably no longer possible in some of the Provinces for a Governor to run a section 93 administration for more than a very limited period. In the other Provinces it would be difficult now and will become progressively more so. The Governor can therefore no longer afford to overrule his Ministry on an issue on which they are likely to resign, since he has nothing to put in its place. The constitutional powers of the Governor are rapidly becoming a dead letter; in most Provinces they can now only be enforced to a limited degree by persuasion and bluff.

Meanwhile the standard of administration and of security is rapidly going down; and in most Provinces has already sunk to what may be termed an oriental standard in place of the previous quasi-British standard. Yet we still remain constitutionally, and in the eyes of the world, responsible; and will be blamed for the disorders, repression and corruption, which will become increasingly evident in India in the future.

6. To these administrative difficulties is added the marked deterioration in the communal situation. The existing communal tension has been enough to cause the Calcutta tragedy when over 4,000 lives were lost, and there have been many riots elsewhere. The tension will be still further increased with a Government at the Centre dominated by the Congress, especially if an attempt is made to work the Constituent Assembly in the absence of the Muslim League.

7. The continued existence of any semblance of law and order in the country depends almost entirely on the reliability and cohesion of the Indian Army. Even if a coalition Government and agreement about the Constituent Assembly are obtained, many of the stresses on the Army and the Services will remain. In the absence of such an agreement the strain will become cumulatively greater; and one cannot expect to maintain indefinitely the integrity of the Army, while both the main political parties are preaching communal war, and when it is known that the British Officers, who alone hold the Army together, are leaving soon.

8. It is obvious from the above that, on the assumption that H.M.G. are not prepared to change their policy and govern India for another fifteen years or so, our time in India is limited, whatever the political circumstances. As said above, I put down the maximum as one and a half years, or till the spring of 1948. I assume that H.M.G. will not wish to retain a shadow of authority and responsibility which can no longer be enforced. To do so will only damage the prestige of the United Kingdom and will not help the minorities whom we shall be unable to protect against the Congress.

9. It is essential, therefore, that we must have at once a definite plan, worked out in considerable detail, for withdrawal of our control from India; and if my estimate is correct, that withdrawal should be completed not later than the spring of 1948. Our withdrawal may be hastened, or the plan of it modified, by political events (e.g. Congress intransigence or Muslim intransigence), or by the general deterioration of conditions in the country; but on the assumptions above we can, from the administrative point of view, no longer exercise control beyond that date.

10. The plan described in paragraphs 11-16 below is intended primarily for use in the event of a breakdown before 1st January 1947. Such a breakdown may be due either to political reasons or to conditions in the country having deteriorated so much as to make an immediate announcement, and an immediate change of Government, necessary. In paragraph 17 I indicate the nature of the basic plan which should come into operation in any event not later than March 1st, 1947.

11. The objects of the scheme are

- (a) to regain the initiative;
- (b) to withdraw British authority with the minimum disorder and loss to H.M.G. and to India, and in such a manner as is most likely to maintain the cohesion of the Armed Forces;
- (c) by administering a severe shock, to induce the political leaders to adopt a saner outlook;
- (d) to have a period during which a last effort may be made to secure agreement; and
- (e) during such period to reduce progressively our responsibilities in India, thus strengthening at each successive stage our position in the remaining territory.

12. When it has become clear on political or administrative grounds that a break must be made, the Viceroy will either dismiss his Executive Council or accept their resignations. On the same day he will make an announcement on the lines of Appendix I. The announcement makes it clear that the British will withdraw the Governors, the Secretary of State's officers and British troops from the Provinces in accordance with a phased programme, and will finally withdraw from India completely by the spring of 1948. The machinery of the Central Government will be maintained intact under a caretaker Government of officials for as long as possible. It is thought possible that the Congress (most of whose Provinces will be vacated first) may acquiesce in the working of the common all-India services (posts, telegraphs, railways, etc.) because they will still hope to inherit power in a unitary Government of India. The Provinces that are vacated will however have complete provincial autonomy and if they wish to make the functioning of the common services impossible they can do so, but they will suffer themselves from any such action. Similarly the proper functioning of customs, income-tax and currency can be made impossible. But provided certain executive action (including stocking of rupee currency in northern India) is taken in the very near future it will be possible, with some help from H.M.G., to carry on even in the face of opposition.

13. The policy for the Armed Forces meanwhile will be minimum of disturbance. They will continue under the Commander-in-Chief, and as efforts to secure a communal agreement will continue and the whole central set-up will be as before, this plan affords the best chance of their holding together both in India and overseas, for the limited time involved.

14. It will be possible to strengthen the administration of the Centre and of the Provinces still under British control with British (and perhaps some Indian) officials from the Provinces out of which the Secretary of State's Services have been withdrawn.

15. Relations of the Crown Representative with the States during the period will have to vary according to their geographical position. Paramountcy will no longer be effective in States that are cut off from "British" territory, and even in others it will be progressively weakened. But it may still be possible to help some of the States to reach arrangements among themselves and collectively or individually with Provinces. The programme of withdrawal will at least confront the States, like the Provinces, with the realities of the situation.

16. The constitution will of course remain as it is now unless any vacated Province chooses to adopt a new constitution.

17. In the event of a breakdown not occurring before the 1st January the dismissal or resignation of the Interim Government will not be necessary, but the announcement of the programme of phased withdrawal will still be necessary on that date, unless there is clear evidence that the Constituent Assembly is functioning satisfactorily, and that an agreed constitution is likely to emerge within a reasonable time, when the announcement might be deferred and the position reconsidered. But we must make some announcement of our intentions at the latest by March 1st 1947. The exact form of announcement will depend on the circumstances but an outline draft is given in Appendix II. Except for the change of Government the plan will be the same. If a Coalition Government has been obtained the prospects of an orderly withdrawal and a peaceful hand-over will be good. If there is still no Muslim League participation in the Government the prospects will be much less good and the strains on the Armed Forces will be greater, but at least it will be clear that "British bayonets" will not be used indefinitely to support one-party regime, and the efforts to secure inter-party agreement will continue. It might become necessary at some stage of the withdrawal to dismiss the Interim Government if they refused to cooperate, but there would be no justification for doing so at once.

18. Finally, the success of such a plan will depend on absolute firmness by H.M.G. There must be no question of discussion or negotiation—except perhaps on details. H.M.G. must announce its intentions and carry them out without hesitation. India is still ready to accept orders, if given clearly and decisively and insisted upon.

Appendix I to No. 286

DRAFT ANNOUNCEMENT FOR USE IN THE EVENT OF A BREAKDOWN BEFORE 1ST, JANUARY 1947

The Governor General is authorised to make the following announcement of HMG's intentions.

It has become clear that an agreed constitutional settlement cannot be achieved

along the lines of the proposals embodied in the Cabinet Mission's statement of the 16th May 1946. A fresh approach is inevitable if chaos is to be prevented.

HMG do not intend that the handing over of control to Indian hands should be delayed by the failure of the Indian parties to agree among themselves. So long as HMG are responsible for the administration of India they and the Governor General will continue their efforts to secure an agreement between the principal parties in British India and between British India and the Indian States so that if possible a peaceful transition may be achieved. They do not however consider that any useful purpose will be served by maintaining the control of Parliament over British India for longer than a very limited period.

It has to-day been announced that H.M. the King has been pleased to

dismiss

accept the resignations of

Members of the Interim Government. For the administration of the Central Government a caretaker Government of officials has been appointed to-day. H.E. the Commander-in-Chief remains in command of the Armed Forces.

HMG have decided to withdraw the Governors, the Secretary of State's Services (except in so far as officials may agree to serve under the Provincial governments) and British troops from the following Provinces in the next 4 months:-

MADRAS

BOMBAY

C.P.

ORISSA.

British Officers and other ranks serving with the Indian Armed Forces (R.I.N., I.A., and R.I.A.F.) stationed in these provinces will NOT be withdrawn but will continue to serve with their units. These Indian Armed Forces will continue under the command and control of the Commander-in-Chief in India.

New Governors will be appointed on the recommendations of the Ministries.

A similar programme or programmes for withdrawal from the remaining Provinces will be announced in due course. HMG intend that by the second quarter of 1948 their political power in India should be demitted entirely, and the British troops and British personnel in the Indian Armed Forces will then be withdrawn from India. No interference with this programme will be permitted. As the withdrawal takes place, British nationals will be given facilities for leaving if they wish.

Throughout the period, the Indian States will be given all the help in the power of HMG and the Crown Representative to secure an appropriate place in the new India.

It is the earnest hope of HMG that the principal parties in British India, realising the imminence of the withdrawal of British authority, will now come to terms, so as to save the country from bloodshed and confusion, and to take over intact the great fighting services, the financial system, the railways, posts and telegraphs, and other all-India assets. If during the withdrawal period a genuine coalition Government can be formed, HMG and the Governor General will gladly place it in office. Further if such a coalition Government were to request the retention for a period of British Officers in the Indian Armed Forces, it is the sincere hope of HMG and the Governor General that a satisfactory agreement might be reached.

Appendix II to No. 286

DRAFT ANNOUNCEMENT FOR ISSUE ON JANUARY 1ST, 1947, OR
AT THE LATEST MARCH 1ST 1947, IF THERE IS NO PREVIOUS
POLITICAL OR ADMINISTRATIVE BREAKDOWN

HMG consider that the time has come when they should announce their intentions about withdrawal from India. While they continue to be responsible for the country they will in no way relax their efforts to secure agreement about a new constitutional arrangement between the principal parties in British India and between British India and the Indian States; but they believe that the prospects of agreement are likely to be improved by the knowledge that British power will be withdrawn by a certain date.

The programme HMG have decided to adopt is as follows. They will withdraw the Governors, the Secretary of State's Services (except in so far as officials may be asked to and agree to serve under the Provincial Governments) and British troops from the following Provinces in the next 4 months:

C.P.
ORISSA.

British officers and other ranks serving with the Indian Armed Forces (R.I.N., I.A., and R.I.A.F.) stationed in these provinces will NOT be withdrawn but will continue to serve with their units. These Indian Armed Forces will continue under the Command and control of the Commander-in-Chief in India.

New Governors will be appointed on the recommendations of the Ministries.

A similar programme or programmes for withdrawal from the remaining Provinces will be announced in due course. By the second quarter of 1948 HMG intend that their political power in India should be demitted entirely,

and the British troops and British personnel in the Indian Armed Forces (except in so far as the latter may be asked to and agree to serve on) will then be immediately withdrawn. No interference with this programme will be permitted. As the withdrawal takes place British nationals will be given facilities for leaving if they wish.

Throughout the period, the Indian States will be given all the help in the power of HMG and the Crown Representative to secure an appropriate place in the new India.

³ It is the earnest hope of HMG that the principal parties in British India, realising the imminence of the withdrawal of British authority, will now come to terms, so as to save the country from bloodshed and confusion, and to take over intact the great fighting services, the financial system, the railways, posts and telegraphs, and other all-India assets. If during the withdrawal period a genuine coalition Government can be formed HMG and the Governor General will gladly place it in office. Further if such a coalition Government were to request the retention for a period of British Officers in the Indian Armed Forces, it is the sincere hope of HMG and the Governor General that a satisfactory agreement might be reached.

Appendix III to No. 286

NOTE BY H.E. THE COMMANDER-IN-CHIEF ON THE MILITARY ASPECTS OF THE PLAN

DELHI, 5 September 1946

1. The importance of keeping the Indian Army steady is emphasised. It is the one disciplined force in which communal interests are subordinated to duty, and on it depends the stability of the country.

2. The steadiness of the R.I.N. and the R.I.A.F is of lesser import but any general disaffection in them is likely seriously to affect the reliability of the Army.

3. In planning the withdrawal, therefore, it is most necessary to consider the effect of methods to be adopted on the reliability of the Army. The chief factor affecting the Army is the knowledge that HMG is shortly to hand over the Government of the country entirely to Indians. Indian officers and men naturally look to the future and must be expected to act in a way likely to put themselves right with the future rulers of the country. The influence of politics on conduct, particularly amongst the Indian Commissioned Officers, is certain to increase. Already many Muslim Officers, for example, consider themselves as Muslims first and Indians second, though they may be proud to belong to the present "Indian" Army. Indian troops overseas are sure to become

apprehensive and restive and to desire repatriation. Gurkha troops are beginning to show signs of disquiet owing to uncertainty as to their future.

4. All troops, Hindu, Sikh, Muslim and Gurkha have pride in the Army and in their profession, but their main allegiance in the past has been to their British officers, and then, probably, to the King as distinct from HMG or the Government of India, though there has always been a definite and abiding loyalty to the "Sarkar" (the Government of India) as the provider of benefits and the source of awards, pensions, etc.

5. The progressive and increasingly rapid "nationalization" or "Indianization" of the officer cadre of the Army has naturally encouraged the belief that the days of British rule are numbered and that HMG can no longer govern India even if it wished to do so. Generally, Indian officers, VCO's and the rank and file know well enough that probably the only hope for stability in India is a continuation of British rule. In any event, they know that when India gets her "freedom", the Army as they know it, is probably doomed unless the British officer stays for a period.

6. To keep the Army reliable, we should:-

(a) Appeal to the "Army spirit", emphasising that the welfare and happiness in the future of themselves, their families and their own community depends on the Army remaining non-communal and thoroughly reliable.

(b) Emphasise our hope that the major political parties will come together, so that the Army under a "Free" India may continue in its present form and spirit with a proportion of British officers who will serve on it at the request of the new Government of India, until the officer cadre can be completely and satisfactorily "nationalized".

(c) Disturb the existing organisation and composition of the Army as little as possible in the meantime.

(d) Urge HMG to take immediate action in consultation with the "Interim" Government of India and the Government of Nepal to reach a satisfactory solution of the problem of the future of the Gurkha units of the Indian Army. Similar action should be taken in regard to the R.I.N. and the R.I.A.F., from which the sudden and wholesale removal of the British officer element is likely to have even more disastrous effects than it would on the Army.

7. The problem of Indian troops overseas needs special consideration. We are responsible for their presence there and must either arrange their withdrawal before we relinquish responsibility or ensure satisfactory terms for their continued services abroad. Until then, the Commander-in-Chief must remain responsible for their welfare and maintenance. A brief note on the transportation problems involved in this withdrawal is attached to this Appendix.

¹ A note against this paragraph reads: "To be omitted or altered if there is a coalition Govt."

8. The effect of an announcement on the lines suggested in Appendices I and II on the Army is likely to be very serious for the following reasons:-

(a) The knowledge of withdrawal of British Officers and British influence by a near date will be a severe shock.

(b) Officers, British and Indian, though they may continue in the routine performance of their duties, are bound to be concerned more with their future prospects than with their work, and this is likely to result in a progressive deterioration in morale and a consequent increase in unrest, intrigue, disaffection, and general unreliability.

(c) Desertion, with and without arms, and absence without leave is likely to increase.

(d) Recruiting will become difficult, as it will not be possible to offer firm terms of service to would-be recruits. It is unlikely, therefore, that men will be forthcoming to replace the 250,000 men due for release on 31st March 1947.

(e) Units stationed in the "ceded" Provinces will be in a difficult position. Many of these troops will be from the Northern Provinces and may find themselves in a most invidious position in the event of civil disturbances occurring in their vicinity. Their own desire is likely to be to return to their homes as quickly as possible.

Similarly, many of the troops stationed in the North will be from the "ceded" provinces and they too will wish to get home. These considerations must increase the risk of disaffection and disintegration during the withdrawal period. This is likely to apply with even greater force to Indian troops serving overseas, who might become unreliable with serious results. As explained in the attached note, the simultaneous repatriation of these troops is likely to be a physical impossibility.

9. Finally, we must face the possibility of the wholesale defection or disintegration of the Indian Army. In this event, the programme of phased withdrawals may have to be hastened, and reliance placed solely on British troops for the collection and protection of European civilians until they can be shipped from India. A reduction in the number of the British Troops now in India cannot be accepted, at any rate for the present.

C. J. AUCHINLECK

Field-Marshal

Commander-in-Chief in India.

NOTE ON A WHOLESALE AND URGENT WITHDRAWAL OF ALL INDIAN
TROOPS SERVING OUTSIDE INDIA.

TOP SECRET

1. The position at the beginning of September 1946 is that the following approximate numbers of Indian troops are serving outside India:-

JAPAN	11,400
HONGKONG	5,800
MALAYA	59,000
N.E.I.	44,800 (withdrawal planned to be completed by 30th November 1946)
BURMA	78,500
SIAM	4,000 (withdrawal planned to be completed by 31st October 1946)
BORNEO	1,000
CEYLON	1,500 (Southern Indian States labour units being dispensed with in Novr. 1946)
IRAQ	16,000
MIDDLE EAST	12,500 (Egypt: Tripolitania: Cyrenaica: Aden and Palestine)
ITALY	400

2. The shipping at present available is sufficient only to bring back to India by February 1947 the number of troops at present overseas in excess of the post-war agreed-upon garrisons and occupation troops, in addition to personnel travelling on leave.

On 1st January 1947 there will therefore be still not less than approximately 150,000 Indian troops overseas whose return to India might take up to six months unless additional shipping were provided. One of the main ports of entry into India for returning troops has hitherto been Madras, but with reasonable warning Calcutta could handle the maximum probable intake from the east.

3. If political developments create a demand among Indian troops overseas for immediate repatriation, the existing allotment of shipping could not effect the necessary movement quickly enough to avert the probability of serious trouble among Indian overseas forces.

4. The shipping position would be further strained and complicated by any movements of troops to overseas theatres to replace Indian troops being withdrawn and also by the possible necessity of evacuating from India to U.K. up to 100,000 European women and children.

5. The change-over in maintenance plans, which would result from a wholesale withdrawal of Indian overseas forces, and the probable impossibility, in any case, of counting on HMG stocks in India, would produce both shipping and maintenance problems which might well take several months to disentangle.

6. A final shipping problem, which would arise at a slightly later date, would be the withdrawal of British forces in India. As at present envisaged at G.H.Q(I) these would total approximately 100,000 on 1st January 1947.

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Lord Pethick-Lau to Field Marshal Viscount Wavell

Telegram, L/S&G/8/648: ff 69-70

IMMEDIATE

INDIA OFFICE, 8 September 1946, 9.10 pm

16436. Your telegram 1870-S.¹ Sind deadlock.

2. If apprehended situation arises strictly correct constitutional course for Governor would seem to be to ask Congress leader whether he can satisfy Government [?Governor] that he can form a Government with a majority. This seems to be the only course which would avert criticism of the Governor on grounds of constitutional propriety. But it would be open to criticism on political grounds. For Congress could only form Government if Europeans supported them, as well as Syed Group. Moreover I recognise dangers of a Congress coalition in Sind locally and I think that effect on Jinnah would be very adverse.

3. If you and Governor judge these objections to be decisive, I agree to dissolution. I do not think resort to S.93 would be justifiable.

4. If as seems certain Congress could not form stable Ministry from present Assembly (particularly in light of Mudie's forecast in paragraph 2 of his letter of 21st August² that opposition will lose some of 4 seats in which petitions are pending) it would be very desirable that before dissolution this should be demonstrated to be the case. I should expect that neither Syed Group nor Europeans would support a Congress coalition and former at any rate might be hoped to indicate as much publicly. This would give some justification for Governor not adopting constitutional course of sending for Congress leader.

¹ No. 267.

² L/P&J/5/262: f 56.

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Lord Pethick-Lawrence to Mr Attlee

L/P&J/10/50: ff 28-32

INDIA OFFICE, 9 September 1946

Secretary of State's Minute: Serial No. 51/46

Prime Minister.

Your personal minute No. M. 296/46 of September 4th,¹ regarding the representation of the Scheduled Castes on the Advisory Committee of the Constituent Assembly.

2. It certainly was the Mission's intention that the Advisory Committee should contain representation of the Scheduled Castes and I informed Ambedkar of this by a letter² I wrote to him in India. In the third paragraph of your reply to him of 1st August³ you explained to Dr. Ambedkar that, while H.M.G. themselves consider the Scheduled Castes an important minority which should be represented on the Minority Advisory Committee, they could not accede to his request for a public declaration to this effect, since any such declaration

(a) would also have to specify all the other elements which H.M.G. consider should be included as minorities in the Advisory Committee; and

(b) would be liable to be interpreted as an attempt to interfere with the Constituent Assembly's freedom of action.

3. The position, however, is that we have left the composition of the Advisory Committee to be decided by the Constituent Assembly and we cannot now prescribe it ourselves. I do not think we can be accused of misleading the House as the position was clearly stated in the President of the Board of Trade's speech on 18th July of which the relevant passage was attached to my Minute to you of 3rd September.⁴

4. The controversy on the question whether the Scheduled Castes constitute a minority for the purpose of separate political representation or whether they should be classed with the Hindus has of course a long history. Gandhi has spent a large part of his life in propagating the latter view. But when I said, in paragraph 4 of my minute of September 3rd, that Congress did not regard the Scheduled Castes as a minority for the purpose of separate political representation, I had particularly in mind the passage in Azad's letter to the Viceroy of June 25th⁵ (some weeks after our Statement of May 16th) to which Dr. Ambedkar has referred in both his letters⁶ to you. In this Azad said that Congress "repudiated the view that the Scheduled Castes are a minority and considered them as integral parts of Hindu society" (second paragraph on page 23 of Cmd. 6861). This statement had reference to the Viceroy's assurance to Mr. Jinnah⁷ that he would consult the main parties before filling any vacancy among the seats in the Interim Government allotted to representatives of minorities. It was not altogether unnatural that Congress should regard the Scheduled Castes as their own responsibility and object to the Muslim League having a say in the appointment of a Scheduled Caste representative.

5. There is no positive reason to think that Congress will not wish to include in the Advisory Committee Scheduled Caste representatives in adequate numbers. They will be concerned to escape criticism both in India and abroad; and they are most anxious to win over to their own ranks, or at least to conciliate, as large a proportion as possible of the Scheduled Castes, if only to

¹ No. 253.

² Vol. VII, No. 399.

³ No. 105.

⁴ No. 250.

⁵ Vol. VII, No. 603.

⁶ See footnotes to No. 105 and No. 142.

⁷ Vol. VII, No. 573.

prevent them from allying themselves with the Muslim League. The Committee is to deal with the rights of *citizens* as well as with those of minorities, so that inclusion of Scheduled Caste representatives need not prejudice the question whether they are or are not a minority. On the other hand, there is no guarantee that Dr. Ambedkar or any other member of the Scheduled Castes who opposes Congress will secure a place on the Committee.

6. I still feel that we should not volunteer a pronouncement in response to Dr. Ambedkar's request for a public declaration that the Scheduled Castes are a minority within the meaning of paragraph 20 of the Mission's Statement of May 16th. To do so would almost certainly arouse a controversy with Gandhi which might result in Congress opposing their inclusion as a demonstration. Even if we did not say that the Scheduled Castes are a minority but only that they should be included on the Committee, our statement would arouse requests for a similar statement in favour of the Anglo-Indians and others, and would be interpreted as interference with the Constituent Assembly, which is what we are most anxious to avoid. There is no possibility that such a declaration would influence Congress to give the Scheduled Castes better treatment in the Advisory Committee than they would otherwise do, nor would it help Dr. Ambedkar, since it would refer simply to the Scheduled Castes, making no distinction between those who favour Congress and those who do not.⁸

PETHICK-LAWRENCE

⁸ Mr Attlee noted on this Minute: 'No further action.' Attlee Papers, University College, Oxford.

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Lord Pethick-Lawrence to Mr Attlee

L/P&J/8/648: ff 71-3

INDIA OFFICE, 9 September 1946

Secretary of State's Minute: Serial No. 52/46

Prime Minister.

Your Minute M. 299/46 of 8th September.¹

2. The strength of the parties in the Sind Legislature is as follows:-

Muslim League	27
Congress	22
Nationalist Muslims (pro-Congress)	4
Syed Party (Independent Muslims)	4
Europeans	3
Total	60

3. The Syed Party at the time of the election professed themselves supporters of Jinnah's Pakistan policy but in opposition to the Muslim League on local Sind issues. They formed a Coalition with Congress and the Nationalist Muslims in opposition to the League who were invited as the largest party to form a ministry and had the support of the Europeans.

4. The only conceivable alternatives to holding an election in Sind are, a Government of Congress supported by the Nationalist Muslims, the Syed Party and the Europeans, or to put the Province under Section 93 administration. The real remedy, a genuine Congress/League Coalition Government, is not I imagine a possibility unless there is a Congress/League settlement at the Centre. On paper, a Congress Government appears a possibility but it would be very provocative to Jinnah at this juncture to set it up. The Europeans might not be willing to support it in which case it would not have a majority, and it is uncertain whether the Syed Party would give it more than benevolent neutrality. Moreover, there is a probability that the present Opposition will lose some of [the] four seats in which election petitions are pending.

5. I therefore sent the reply,² of which a copy is attached, to the telegram³ to which your Minute refers. This contemplates that in the last resort there should be a dissolution and a new election. If, in the light of what I have said above, you feel that this is mistaken, there is no doubt still time to send a modifying telegram.

PETHICK-LAWRENCE

P.S. It is reported in *The Times* today that Suhrawardy, Prime Minister of Bengal, is seeing Jinnah. There is little doubt but that this is in order to discuss the question of a Congress/League Coalition being formed in Bengal as the result of strong representations made by the Governor and the Viceroy to Suhrawardy. If a Coalition were formed in Bengal, one might also be formed in Sind. I am therefore telegraphing further to the Viceroy⁴ drawing attention to this and suggesting that he should tell the Governor that he should, as his first move, urge a full Congress/League Coalition.

¹ No. 285.

² No. 287.

³ No. 267.

⁴ See No. 294.

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Field Marshal Viscount Wavell to Sir E. Jenkins (Punjab)

Telegram, Mountbatten Papers. Official Correspondence Files: Sikh Problem,

Part I (a): f 51

EXPRESS

NEW DELHI, 9 September 1946, 11.30 am

CONFIDENTIAL

No. 1882-S. I have received telegram from Panthic Board asking for early election to the Sikh seats in the Constituent Assembly. There is a possibility of negotiations in the next ten days or so with Jinnah and the Congress and I would much prefer not to give Jinnah any possible cause for complaint. Unless therefore you wish to urge that Sikh election must take place at once I would prefer to wait. The Constituent Assembly is unlikely to meet before middle of October.¹

¹ Sir E. Jenkins agreed to the deferment of the Sikh by-elections in tel. 82-G of 11 September Mountbatten Papers, Official Correspondence Files: Sikh Problem, Part I (a). f 52.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/124: ff 119-20

IMMEDIATE

NEW DELHI, 9 September 1946, 6 pm

TOP SECRET

Received: 9 September, 5.50 pm

No. 1889-S. Your 16317 and 16318 of 6th September.¹

2. Nehru's statement in his broadcast² that the Congress will definitely enter the sections is a step in the right direction. What I want to do is to put to the Congress a formula which makes clear that the Muslim League will get what the Mission intended by their Statement of 16th May to give them. We cannot honestly add a concession about the making of the provincial constitutions that goes against our definite assurance to the League.

3. This objection does not repeat not apply to your proposed sub-para. c(iii) and I accept this. I am in favour of trying out the formula as modified in my 1858-S³ but inserting your sub-para. c(iii) renumbered as c(ii).

4. You ask what are the signs of League wanting a settlement. There is nothing from Jinnah except his request for "concrete proposals" but Liaquat

indicated League's requirements as in next paragraph to one of my staff⁴ and in Calcutta Nazimuddin after discussion with me on outstanding issues in which he pressed for clarification about grouping⁵ told Governor he believed Jinnah would come in if some face-saving arrangement could be made over the matter of a Nationalist Muslim. Wylie in a recent letter⁶ said "Everyone including myself thinks that a face-saver would do the trick." General opinion among the intelligent Muslims in Delhi is that my broadcast⁷ deserved a response and that Jinnah would negotiate if given a chance.

5. Liaquat wanted more than a face-saver. On long term issues he wanted assurances (a) that the Sections would sit as such and frame Group and Provincial constitutions, (b) that there would be no opting out except as covered by para. 19(viii), and (c) that Union Assembly would have no power to alter Group or Provincial constitutions except to prevent overlapping with Union constitution on scope of which Federal Court might decide. (c) seems to present no serious difficulty, and (a) and (b) are covered by the formula. On short term issues Liaquat wanted (a) no Nationalist Muslim, (b) assurance about major communal issues in Interim Government, (c) equal not equitable distribution of portfolios, and (d) selection of minority representatives in Cabinet on joint advice of League and Congress. He admitted that (c) and (d) were not important and I believe we could find a way round (a) and (b) if the grouping issue were decided. I will telegraph further on your paragraph 6 after my interview with Nehru.

6. I am quite clear we must grasp this nettle now and if we do it resolutely India may respond to our lead. Everyone sensible really wants a settlement and few have been unscared by recent events.

7. In my view that Statement of 16th May is worthless if we have not the honesty and courage to stick to it, and I would rather lose the cooperation of the Congress at the Centre and in the Provinces than go ahead with constitution making on a one-party basis and in a way which the Mission never intended.

8. My views about breakdown plan⁸ are being sent by fast airmail bag today.

¹ Nos. 268 and 269. ² See No. 275, note 3.

³ No. 255. ⁴ See No. 242. ⁵ See No. 204.

⁶ No. 232. ⁷ No. 199. ⁸ No. 286.

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*The Nizam of Hyderabad to Field Marshal Viscount Wavell**R/3/1/124: ff 121-2*

CONFIDENTIAL

HYDERABAD, DECCAN, 9 September 1946

My dear Lord Wavell,

First of all I admit that except affairs of my own State I have no right whatsoever to unnecessarily interfere with the political affairs of British India, or to pass any comments on the formation of the Congress Government or any government in which all the major political parties are not included. Still what is happening now-a-days all over the country in the shape of bloodshed, arson, looting and orgy that is a sufficient indication of what more will follow as the time passes by, so taking all these things into consideration I consider it my duty as Faithful Ally of the British Government to submit my views to Your Excellency for what worth they may be that is that at this critical juncture when unrest prevails and chaotic conditions are apparent, it would be wise to revise the political situation in the proper light in whatever way it was thought advisable, and also to take the Muslim League into confidence and make suitable overtures to them to participate in the new government or any other government that may take shape and thus to quell the disturbance and disorder before it assumes serious proportions. For I must say quite frankly that the Muslim community of India has always been loyal to the British Government and stood by them at all critical times and thus furnished their unflinching loyalty to His Majesty the King and to the British throne, therefore in my opinion they deserve consideration at the hands of the British Crown. Because how the Congress was the arch-enemy of the British and how openly they preached disloyalty, or manifested their inimical attitude towards the King and the British throne is too obvious to explain. Therefore in my opinion the time is still in the grip of Your Excellency to revise the whole problem *de novo* and do the needful in order to control the unfortunate political situation that is existing today and nobody knows what more bad times are in store to manifest their ugly and horrible face in future.

(2) In conclusion, I trust Your Excellency will pardon my presumption in having expressed my views frankly for your consideration which I did after some hesitation, as otherwise I thought that if the Muslim community all over the world had come to know that notwithstanding I being myself the Ruler of the Premier Muslim State in India did not take any interest or did not place my views before Your Excellency who is at the helm of the affairs in India, they might have blamed me of showing callous disregard to this question of supreme importance on which to my mind the peace and tranquillity of the whole of

India depends, as the Muslim community, I believe, is regarded among the major communities of India. Therefore I was forced to write to Your Excellency in this connection in the hope that you will not mind my doing so.

(3) I may add that I am not one of the believers in Pakistan; in fact, I consider this an impracticable thing or rather a shadow without substance, so in my opinion Mr. Jinnah should see things in true perspective or take them at their face value and must not waste his time or energy in acquiring a thing which is not possible from various points of view. Therefore instead he should ask for the proper share of the Muslim community in the administration of the country along other communities who no doubt are the equal share-holders of their "communal property". Unless and until he follows the proper path, I am afraid he will not be successful in his undertaking, as the maxim is that you should take only what is good or possible and leave out what is bad or impossible. I am sorry to have taken Your Excellency's precious time by writing somewhat lengthy letter and hope you will kindly overlook it.

Yours sincerely,
MIR OSMAN ALI KHAN

293

Mr Attlee to Mr Bevin

L/E/8/4870: f 171

10 DOWNING STREET, WHITEHALL, 9 September 1946

My dear Ernest,

I have read your letter¹ and the comments of the Secretary of State for India² with regard to the position of the U.K. High Commissioner in India. While I agree that his position is not exactly analogous to that of the Dominion High Commissioners, this fact supports the arguments of the Secretary of State for India. As long as the Secretary of State for India and the Viceroy retain their present positions communications will pass through the India Office. It would be premature to make any change at present. It would be a mistake at this juncture to place the High Commissioner under the Foreign Office.

Yours ever,

C. R. ATTLEE

¹ No. 236.

² No. 260.

294

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/PEJ/8/648: f 68

IMMEDIATE

INDIA OFFICE, 9 September 1946, 10.40 pm

No. 16479. My telegram 16436 of 8th September.¹ Sind deadlock.

2. It is reported in *The Times* that Suhrawardy is seeing Jinnah. I presume that this is to discuss possibility of Congress/League Coalition in Bengal which you and Burrows have urged on Suhrawardy. Only real solution of Sind deadlock is such a Coalition and I think that Mudie's first move should be to urge this. If a Coalition should come about in Bengal there seems no strong reason why Sind should not follow suit. In any event Governor's position will be strengthened if he urges such a Coalition at the outset.

¹ No 287.

295

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/124: f 126

IMMEDIATE
TOP SECRET

NEW DELHI, 10 September 1946, 1 am
Received: 9 September, 10.40 pm

No. 1895-S. My 1889-S of today.¹ I have talked to Nehru about grouping without any conclusive result. I am informed that the Congress have turned down a proposal by their legal adviser, K. M. Munshi, that they should maintain that the Constituent Assembly as a whole will lay down procedure for the sections. It is believed that they will ultimately admit that the sections can decide their own procedure and if they would say so now it is possible this might satisfy Jinnah.

2. But I see no good at the moment in putting a formula to Nehru. I got the impression from him today that the Congress do not (repeat not) at present want to secure League cooperation. The members of the League Working Committee are mostly in Delhi and I propose to send at once for Jinnah who is in Bombay. I gather from Suhrawardy that he would accept an invitation. I would enumerate the assurances he has got about the Constituent Assembly and ask what more he requires. If I could get him to say that an assurance about the sections framing their own procedure would cover the essentials I would

try to put this across with the Congress. The difficulties about the Interim Government can be dealt with afterwards. Please telegraph whether you agree.

3. I am sure in any case I should not wait till after September 13th as suggested by you. A move should be made now while the Leaguers are in Delhi.

¹ No. 291 dated 9 September.

296

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/PEJ/8/648: f 67

IMMEDIATE

NEW DELHI, 10 September 1946, 1.15 am

Received: 9 September, 10.20 pm

No. 1894-S. Your 16436 of September 8th.¹ Sind deadlock. The Opposition consists of Syed's Coalition Party, in which the elements are Syed group, Congress and Maula Baksh group. I agree that for reasons mentioned by you it would be wrong to approach Syed as leader of Coalition Party. Syed claims in writing that he could form Ministry, but it would merely perpetuate present difficulties if he were asked to form one. There will certainly be objections to dissolution from Coalition Party and perhaps from Congress, but it is clear that dissolution is the best course in the event of a deadlock.

2. Premier has pressed for assurance now that there will be dissolution. I have refused to commit myself to Governor, as promise of dissolution would be used by Premier to influence voting on the no-confidence motion. I have told Mudie that a decision must be reached after result of voting on no-confidence motion is known.

¹ No. 287

297

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, R/3/1/124: ff 127-8

IMMEDIATE

INDIA OFFICE, 10 September 1946, 12.5 am

TOP SECRET

Received: 10 September, 8.30 am

No. 16480. My telegram No. 16317 of September 6th.¹ Grouping.

2. It would of course help us if we knew more clearly what intention of

¹ No. 268.

Congress is as to procedure. I see that Nehru is reported as having said in his broadcast last night² that Congress do not object to meeting in sections but follows this by a phrase about Constituent Assembly not being arena for compulsion. What in your view does he precisely mean by this?

3. In paragraph 7 of note of your interview with Nehru on 23rd August³ you report some conversation with him on this, but he evidently was not at all precise.

4. I should like to be clear if possible particularly on the following point— if League members attend what precisely do Congress mean by “questions of interpretation will be decided by procedure laid down in Statement itself” in their resolution of 10th August.⁴ Does this mean that questions of interpretation raised in Assembly as a whole will be decided by majority vote unless they raise a major communal issue, in which case decision will require a majority of both of two major communities under 19(vii) and that if it is disputed whether this decision raises a major communal issue, the Muslims can demand a reference to Federal Court and that Congress undertake that they and Chairman will abide by that ruling? If not what does it mean, because no other procedure is laid down in the statement itself? Congress resolution of August 10th is apparently different from what Nehru says in his letter to you of 28th August⁵ contained in your telegram 1810-S, namely, “any dispute as to interpretation of clauses relating to grouping might be referred to Federal Court and we would abide by its decision”. That appears to mean that Federal Court would decide the interpretation. But procedure laid down in statement as set out above would not enable any decision to be reached. There could be no departure from statement without a majority of both communities but question at issue is what is or is not a departure.

5. I do not suggest you should put those questions to Nehru but if you can throw any light on these points from your past conversations with him I should be glad to know what your impression is of his intentions.

² See No. 275, note 3. ³ No. 195. ⁴ No. 137. ⁵ No. 211.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/124: f 129

MOST IMMEDIATE
SECRET

NEW DELHI, 10 September 1946, 12.25 pm
Received: 10 September, 9.30 am

No. 1897-S. My No. 1895-S of yesterday.¹ Jinnah stated yesterday to a *Daily Mail* representative that if HMG were to invite him to London to start a new

series of conferences on an equal footing with other negotiators he would accept.

2. Secondly Suhrawardy has said in Delhi that if Jinnah felt there was a spirit of cooperation on the Congress side he would take less than his present demands.

3. I am sure that now is the time to send for Jinnah and try to get a settlement especially as the Congress seem to aim at consolidating their power and disregarding the League altogether. The longer we wait the more difficult a settlement is likely to be.

¹ No. 295 which was in fact despatched early on 10 September.

299

Lord Pethick-Lawrence to Mr Attlee

R/30/1/8: ff 53-5

INDIA OFFICE, 10 September 1946

Secretary of State's Minute: Serial No. 53/46

Prime Minister.

I attach three telegrams¹ from the Viceroy received last night and this morning.

2. He now feels after a further interview with Nehru that it would not be opportune to put to Nehru now a formula for a settlement between Congress and the League such as has been under discussion. He proposes to see Jinnah with a view to finding out what assurances about the Constituent Assembly Jinnah would accept as satisfactory. The Viceroy feels that there are indications that the League want an accommodation. He urges that the right time to see Jinnah is now as most of the important Muslim Leaguers are assembled in Delhi, though Jinnah himself is in Bombay. He therefore urges that he should not postpone this step until after the 13th.

3. We had asked the Viceroy not to tackle the Congress until after that date so that the President of the Board of Trade and the First Lord could be consulted. I see no objection and considerable advantage in his seeing Jinnah. It may be that the Congress will dislike Jinnah being seen by the Viceroy but in any case I think that we must resist any attempt to limit the Viceroy's discretion to see leading politicians of any party.

4. I therefore propose, if you approve, to telegraph that I agree with the

¹ Nos. 291, 295 and 298.

course he proposes to adopt in his telegram 1895-S.² It is very urgent to get off a reply on this today so that the interview can take place while the League supporters are in Delhi.

5. You will note the Viceroy's view in paragraph 7 of telegram 1889-S.³

6. I enclose for convenience a text of the draft formula referred to in paragraphs 2 and 3 of 1889-S in the form in which I have advocated it.⁴ The Viceroy would omit paragraph C (ii) and insert the new sub-paragraph to C (i) which is given at the end of the text. When he says that the proposed paragraph C (ii) is contrary to our assurances to the Muslim League he is referring to an interview which Cripps and I had with the League leaders the day after the Statement of May 16th was published.⁵ I append an extract from the minutes of this meeting.

7. If you wish to see me before I send the telegram I am of course at your disposal.⁶

PETHICK-LAWRENCE

Enclosure to No. 299⁷

L/P&J/10/75: f 317

THE DAILY MAIL

9.9.46

Extract from Mr. Jinnah's statement to *Daily Mail* Correspondent,
Bombay

"The wound is too deep and the negotiations have led to too much bitterness and rancour for us to prolong the present arguments.

"The slate must be wiped clean and we must begin from the beginning again. I shall never plead my case, but were the British Government to invite me to London to start a new series of conferences on an equal footing with other negotiators I should accept.

"In such a case I should agree to the present interim Government remaining temporarily in power.

"If the British insist on doing nothing more than support the present interim Government with their bayonets all I can say is the Moslems can endure it.

"If they want to arrest me now I am ready to go to prison immediately."

² No. 295 ³ No. 291. ⁴ No. 219 with the addition in No. 269.

⁵ See Vol. VII, No. 301. The interview in fact took place on 16 May.

⁶ Mr Attlee minuted. 'I concur'. L/P&J/10/75.

In tel. 16505 of 10 September, 3 15 pm Lord Pethick-Lawrence agreed to the course of action proposed by Lord Wavell in No. 295, para. 2. L/P&J/10/75. f 318.

⁷ It is evident from a note on this extract that it was included among the enclosures to Lord Pethick-Lawrence's minute.

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Mr Abell to Mr Turnbull

Telegram, R/3/1/124: f 131

IMMEDIATE
TOP SECRET

NEW DELHI, 10 September 1946, 5 pm
Received: 10 September, 3.25 pm

No. 1899-S. Turnbull from Abell. Secretary of State's 16480 of today.¹ Grouping.

2. Viceroy will send reply tomorrow after consultation with Menon and Rau. By phrase about Constituent Assembly not being arena for compulsion, Congress are understood to mean that they recognize necessity for negotiation rather than majority voting in Constituent Assembly. Viceroy is convinced immediate approach to Jinnah is advisable and hopes it will be unnecessary to hold up reply to his No. 1897-S of today.²

¹ No. 297 ² No. 298.

301

Cabinet

India and Burma Committee. Paper I.B. (46) 30

R/30/1/8: ff 56-64

PROPOSED COMPENSATION SCHEME FOR OFFICERS OF THE INDIAN
SERVICES APPOINTED BY THE SECRETARY OF STATE

MEMORANDUM BY THE SECRETARY OF STATE FOR INDIA

INDIA OFFICE, 10 September 1946

As a result of the consideration of my Memorandum I.B. (46) 27 dated 26th July, 1946,¹ regarding the grant of compensation to officers appointed to the Indian civil services by the Secretary of State, I was invited as a first step to discuss the matter further with the Chancellor of the Exchequer (Minute of a meeting of the India and Burma Committee held on 31st July 1946).²

2. The question has since been discussed between representatives of the Treasury and the India Office and officers of the Government of India specially sent to this country by the Viceroy in this connection, and as a result of these discussions the Treasury have expressed the views set out in Annexure I to this Memorandum. These views have been considered by my statutory advisers (whose concurrence is required under Section 249 read with Section 261 of the

¹ R/30/1/8: ff 13-17. ² No. 94, Minute 3.

Government of India Act 1935 in any scheme of compensation to Secretary of State's officers payable from Indian Revenues) and their comments on them together with their own views as to the appropriate scales of compensation have been recorded in a note of which a copy is annexed (Annexure II).

3. I accept the view of my Advisers that the scales of compensation proposed by them are fair and reasonable both to the Services on the one hand and to Indian revenues on the other and I now propose to refer them to the Viceroy for consideration by the Indian Interim Government, whose views upon them I will report to my colleagues as soon as they are received. The matter has now become very urgent as the Viceroy is pressing for a very early announcement of the compensation terms to be granted, in order to allay apprehensions on the part of the Services as to their position. Lacking any precise assurance as to their future the morale of the best and keenest of officers cannot but be undermined and that at a time when the greatest demand is being made on their devotion to duty. An early announcement of the conditions on which their services under the Secretary of State will be terminated would do much to prevent such an exodus in the near future, when the ban on retirements, imposed during the war, is lifted, as would gravely jeopardise the whole administrative machine.

4. It is estimated that the total cost of the scheme recommended by my Advisers would not appreciably exceed the approximate figure of £15½ millions mentioned in my earlier memorandum. As will be seen the scheme provides three scales of compensation, one for the Indian Civil Service, one for military and Indian Police officers serving in the Indian Political Service and one for the remaining Services recruited by the Secretary of State (or Secretary of State in Council), other than the I.M.S. (Civil) which is part of a military service and will require to be dealt with separately.

5. The question of the grant of compensation to officers of the Indian Army and the Royal Indian Navy is still under examination in India and I am not yet in a position to furnish information as to the scale of compensation to be granted to such officers or as to the estimated expenditure involved.

6. I ask my colleagues' approval, therefore, of my proposal that I should make an approach forthwith to the Interim Government of India to induce it to accept the scheme of compensation recommended as a liability on the Revenues of India.

P.-L.

Annexure I to No. 301

Views expressed by the Treasury on the proposed scheme of compensation for officers of the Secretary of State's Services

[*This Annexure is not printed.*]

Annexure II to No. 301

Note by Committee of all the Advisers, including the Burma Advisers
[This Annexure is not printed.]

Table appended to Annexure II to No. 301

Scales of compensation recommended by the Advisers

<i>For Officers of the I.C.S.</i>		<i>For Military & Police officers in the I.P.S.</i>		<i>For officers of other S/S's Services</i>	
Completed years of service	Amount £	Age last birthday	Amount £	Age last birthday	Amount £
				24	2400
				25	2550
				26	2700
				27	2850
5	4030	28	4030	28	3020
6	4250	29	4250	29	3180
7	4600	30	4600	30	3450
8	5090	31	5090	31	3820
9	5710	32	5710	32	4280
10	6460	33	6460	33	4850
11	7320	34	7320	34	5490
12	8310	35	8310	35	6230
13	9460	36	9460	36	7090
14	10540	37	10540	37	7900
15	11250	38	11250	38	8440
16	11650	39	11650	39	8730
17	11780	40	11780	40	8840
18	11650	41	11260	41	8450
19	11260	42	10650	42	7990
20	10650	43	9870	43	7400
21	9870	44	8970	44	6730
22	8970	45	8220	45	6170
23	8220	46	7640	46	5730
24	7640	47	6800	47	5100
25	7180	48	6240	48	4680
26	6800	49	5420	49	4070
27	6240	50	4360	50	3270
28	5420	51	3110	51	2330
29	4360	52	1600	52	1200
30	3110	53 & over	Nil	53 & over	Nil
31	1600				
32 & over	Nil				

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/PO/10/23

PRIVATE AND SECRET

THE VICEROY'S HOUSE, NEW DELHI,

10 September 1946

I have not had a letter from you since I last wrote on the 3rd September,¹ though we seem to have exchanged a good many telegrams.

2. At any ordinary time the Bombay riots would have attracted a great deal of attention, since there have been over 200 killed and the city has been in a state of great tension now for nine days. Things have looked better lately, but there might easily be a fresh flare-up. On the whole the police seem to have done better than in Calcutta, though Chundrigar, the local Muslim League leader, alleges that calls for assistance from Muslims have been disregarded. This allegation has been entirely denied by the Commissioner of Police, and I have no doubt it is false.

3. Burrows in his last letter² points out how little attention has been attracted to the riots in the mofussil towns of Bengal where there have been over 300 killed. I am afraid Eastern Bengal is a really dangerous spot, and if "direct action" by the Muslim League started, a large number of Hindus there would be massacred. Communal tension and bitterness is acute everywhere in India, and unless we can get a settlement with the League, the consequences may be very serious.

4. I have informed you by telegram³ of the indications that the Muslim League would like a settlement, but I have a definite feeling now that the Congress are not inclined to go out of their way to settle with the League. I am afraid that the Congress policy is to consolidate itself in power, to use British assistance in putting down riots from day-to-day, and perhaps if necessary to buy off the Muslims at a lower price when we finally go. I am quite clear that we must not allow the Congress virtually to monopolise power under the protection of the British régime, and we must continue our efforts to get a coalition. Perhaps by the time you get this we shall have decided what the next move should be.

5. Though I have had minor skirmishes with my new colleagues, we have got on well on the whole. My policy has been to put in my objection immediately whenever an attempt has been made to "bounce" me. For instance, I had to remind Nehru that the various vacant portfolios which were waiting for the members who could not join at once could not simply be annexed by

him. I was quite ready to discuss a temporary distribution, but until any member was put in charge of a portfolio by me that would remain in my own hands. He took this quite amicably.

Nehru also suggested that we should discuss in Council the alleged misbehaviour of Mudie in Sind, and maintained that in the new circumstances the Governor-General must consult the Interim Government in all matters relating to the direction and control of the Governors. I explained the constitutional position to him at once in an interview, and also wrote confirming that I could not agree to this.⁴

Then, when it was announced that Nehru would broadcast, I wrote and asked for an advance copy of the text. This he sent willingly enough, and I think it was quite a good broadcast.⁵

6. My colleagues wish to speak of the Council as a "Cabinet" and there seems no great objection to this, though official orders must of course still issue from the "Governor-General in Council". I have made some important changes in the Rules of Business to conform with the spirit of my letter of 30th May to Azad about the status of the new Government.⁶ It is no longer the duty of the Secretaries in the Departments to inform me direct of any case in which the Rules of Business have been infringed. The obligation to inform me of important cases is now on the Department on the whole and not on the Secretary himself. Secretaries have been informed that it is their duty to advise their Member that a particular case should be sent to the Viceroy but that if he refuses to do so they should take no further action. I think that though this involves risks the risks must be taken, and that I shall get to hear in one way or another of important attempts to by-pass me. I have telegraphed to Governors telling them they should continue to see their Secretaries, although I have discontinued the practice, especially in view of the statutory provisions of Section 59 (4) of the Constitution Act.

7. The first routine meeting of the Cabinet went quite well. Though my colleagues had already met separately and made up their minds on the one item on the agenda that was for decision, we discussed it in the normal way and went through the usual procedure of a Council meeting.

8. Although Nehru is not Prime Minister or Chief Minister, it is inevitable that he should have all sorts of miscellaneous correspondence to deal with as head of the popular part of the Government and as the person who can most easily bring pressure to bear on a particular Department through its Member. I have arranged for him to be given as his Principal Private Secretary one of the

¹ No. 248.

² Dated 6 September 1946. L/P&J/5/153: f 87.

³ Nos. 291 and 298.

⁴ See No. 280.

⁵ See No. 275, note 3.

⁶ Vol. VII, No. 409.

Cabinet Secretariat staff, an experienced I.C.S. (Hindu) official, who will also continue to be Joint Secretary to the Cabinet.⁷ Thus his Private Secretariat will be integrated with the Cabinet Secretariat, and I think this will be easier for Nehru and also limit the occasions on which he goes off at a tangent. It is interesting that both he and Patel were determined to secure I.C.S. men as their Private Secretaries.

9. I had quite an amusing tête-à-tête dinner with Patel a few nights ago. We got on well, and I always feel that I could do business with him, though we might disagree. I asked him how he liked Home Department, and he said he was getting on all right. Then I said "And the Intelligence Bureau (our C.I.D.)?" He said "I am getting on well with them, they burned all the interesting secret records before I took over." I said "Oh yes, I told them to do that"—at which he laughed in a friendly way.

10. There is a possibility of a crisis in the U.P., as the Governor under my direction has told the Ministry that he cannot accept their advice about the recruitment of I.N.A. personnel to the Police or about their proposals in regard to their dispute with the Inspector-General of Police and their desire to change the Police Instructions to allow direct correspondence between Ministers and police officials. I doubt whether it will suit Congress for the U.P. Government to resign on this issue, but I expect we shall hear more of it, and it may be that Nehru will be briefed to come and argue with me about it.

11. I find it difficult to deal with the political crisis in Sind. Frankly I have no very great confidence in Mudie. He is regarded by the Congress as a staunch supporter of the Muslim League. As you know, the parties were 30 all, and the Government became in a minority owing to their obligation to provide a Speaker. As the Deputy Speaker belonged to the Opposition, the Government got the Speaker to resign and the Premier pressed the Governor to appoint him as a Minister. I advised Mudie to refuse to appoint him, though Mudie was anxious to do it. It seems to me contrary to all parliamentary traditions to compensate the Speaker in circumstances like this with a post as Minister. If there is to be a deadlock, as there probably will be, it is expected to occur at the end of this week, and this will almost certainly have to be followed by dissolution though I have put to the Governor your suggestion⁸ that he might at least first go through the motions of trying to secure a coalition.

12. I am glad to know from your telegram No. 16393 of the 7th September⁹ that a decision not to announce closing down of further recruitment to the Secretary of State's Services (except for the war service vacancies) does not mean that the possibility of further recruitment is still in mind. You asked in the same telegram what progress had been made about a Central Service, and I will let you know about this separately. I think we hope to start with

recruiting about 100 men who would otherwise accept service in the Provinces or with commercial firms.

13. It is interesting that the Americans want to put their representation at Delhi and our representation at Washington on the ambassadorial level at once.¹⁰ I imagine we shall have to accept this.

⁷ H. M. Patel, but H. V. R. Iengar seems eventually to have been appointed as Nehru's Principal Private Secretary. ⁸ See No. 214. ⁹ No. 279.

¹⁰ In tel. 16409 of 7 September the S. of S. passed on information to the G. of I., External Affairs Dept., which the India Office had received informally from the U.S. Embassy in London. This was to the effect that on 6 September the State Department had told Sir G. Bajpai that the U.S. were 'now ready to exchange direct diplomatic representatives with G. of I. but expect initiative to be taken by latter.' In tel. 8002 of 16 September to the S. of S., the G. of I., External Affairs Dept., said they would welcome the suggested exchange of Ambassadors L/P&S/12/2639 ff 151, 138.

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Sir F. Burrows (Bengal) to Field Marshal Viscount Wavell

R/3/1/124: ff 133-5

SECRET

GOVERNMENT HOUSE, CALCUTTA, 10 September 1946

My dear Lord Wavell,

My Secretary gathered from your Private Secretary yesterday morning that Suhrawardy's mission to Bombay, about which I last wrote you on the 4th September,¹ has met with utter failure. Though I realized that Suhrawardy would be fighting against long odds in trying to persuade Jinnah to agree to a Coalition Ministry in Bengal, I confess I am disappointed at the entirely uncompromising refusal he appears to have met with. In the circumstances I feel that, if both in this matter and in the All-India field, Jinnah is going to prove completely intransigent, I ought to let you know at once how we are likely to be affected down here should he shortly launch a programme of Direct Action aimed at paralysing or flouting the Central Government.

Recent developments in Bengal have rendered a change of Government next to impossible except with the agreement of the League. The readmission to the League of Fazlul Huq,—if he takes his three Krishak Proja Party followers with him, as I must assume he will be allowed to do, for obvious reasons—gives the present Ministry almost the certainty of a complete majority in the Assembly. To the original 118 Muslim votes and 5 Independent Scheduled Caste votes, on which they could already rely, must be added the 4 Krishak Proja Party votes, making a total of 127, including the Speaker, in a House of 250. As I mentioned in my letter of the 4th September, the League Party leaders are not

¹ This letter has not been traced.

solidly behind Suhrawardy in his desire for a coalition with Congress and there is, therefore, small hope of a successful break-away in the Muslim League party to tempt Suhrawardy to try his luck at a coalition in the teeth of Jinnah's ban. The European Group would like to see a Coalition Government but are not, I believe, prepared to vote down the present Government in favour of anything short of a coalition and would not give united support to a Government drawn from the Congress party and its allies. Without the Europeans, the Congress and its possible adherents would muster 98 members at most. It is clear, therefore, that there is no alternative to a Muslim League-Independent Scheduled Caste Government like my present Government (though not necessarily comprising exactly the same personnel) until Jinnah removes his ban.

Of this, I gather, there is no prospect at the moment. The danger, therefore, is that, realizing that I have no possible alternative Government, Jinnah may push my present Ministers far along the road of obstruction to the Central Government—so far, in fact, that I may have to dismiss them and go into Section 93.

I need hardly point out how different the position would be in a Section 93 situation arrived at by dismissing a Ministry which enjoys the support of a majority in the Legislature and probably in the Province from the position which previously obtained when, on the first occasion (March 1943), an alternative Ministry was possible and, on the second (March 1945), Section 93 was brought about rather by the action of the Speaker than of the Governor and the Muslim League were not without hope of returning to power. If I have to go into Section 93 now, I may expect an upheaval in East Bengal and I doubt very much if, even with the Congress in power at the Centre, I could count on effective Hindu support in running the Province. Moreover, as you will see from the table enclosed in this letter, my resources in Secretary of State's officers, particularly in Europeans, are limited and the Provincial Services at all events and the Police cannot be altogether relied upon to serve a Section 93 administration disinterestedly and not to look ahead to what they may think will be the regime of the future and trim their sails accordingly. So far as the Secretary of State's Services are concerned, these are likely to be even further depleted after the 1st January 1947,—especially if in the meantime no announcement is made regarding the compensation that will be earned by "sucking it out" till the Secretary of State's Services are officially wound up. I mention this matter of the Services—paucity of Europeans in the Secretary of State's Services and the uncertainty as regards the attitude of the other Services—because it adds to the difficulty of the situation, but the fact is that even if I had all the European Government servants I could employ, I should still find a Section 93 position extremely difficult if it was arrived at in the way I now apprehend—by the dismissal or the resignation of a Ministry representative of a majority in the Province.

I am like every one else at present in the dark as to the lines "Direct Action" is likely to take and I am in this letter perhaps envisaging the more extreme manifestations of it; but to you and to the Cabinet Delegation I have never made any secret of the difficulty in which I would expect to find myself if the Muslims of Bengal go into open and unconstitutional opposition. My object, therefore, in writing to you in this way at this juncture is to obtain some very definite guidance from yourself and the Secretary of State should the Muslim League decide to take an extreme course. In the event of what would be nothing less than an open insurrection against His Majesty's Government, I should wish to be assured of full support in the measures that I should have to take against the Muslim community in order to ensure the maintenance of His Majesty's Government in (at least) Calcutta and West Bengal.

Yours very sincerely,

F. J. BURROWS

Enclosure to No. 303

List of Secretary of State's Services Officers with the Government of Bengal

(Officers on leave have been included but officers on deputation to the Govt. of India have been excluded.)

<i>Service</i>	<i>No. of Europeans</i>	<i>No. of Indians</i>
Indian Educational Service. ..	nil	2
Indian Forests Service. ..	8	6
Indian Service of Engineers (W. & B). ..	3	4
Indian Service of Engineers (Irrigation) ..	5	5
Indian Medical Service ..	18	3
Indian Police ..	44	36
I.C.S. ..	58	83
Indian Agricultural Service ..	1	nil.
	137	139

304

Field Marshal Viscount Wavell to Sir F. Burrows (Bengal)

R/3/1/124: f 136

SECRET

11 September 1946

No. 90/7

My dear Burrows,

Thank you for your letter of 10th September¹ about the possible consequences in Bengal of an attempt to run a section 93 administration against the opposition of the League.

2. I fully recognise the danger and am sending your letter to the Secretary of State.

3. I do not despair yet of securing a coalition at the Centre and propose to see Junnah very soon. If it is quite impossible to secure an agreement I realise that the position in the country will deteriorate further, and I am already pressing HMG to make up their minds quite definitely what their policy will be. I am glad you sent me this warning in writing as it will provide further valuable evidence to HMG of the importance of making a firm decision. In any case you can rely on me to give you all possible support in such action as may be necessary in Bengal.

Yours sincerely,

WAVELL

¹ No. 303

305

Minute by Mr Abell

R/3/1/124: f 144

11 September 1946

The article below¹ by "Candidus", the Hindu political correspondent of the *Times of India*, is interesting. Y.E. will see that "Candidus" believes the Congress to be committed to allowing Sections to decide their own procedure. "Candidus" is in very close touch with the Congress High Command and Mr. Menon tells me that what Pandit Nehru said to Y.E. today was probably spoken without the book.² Mr. Menon believes that the Congress have already accepted the position that the Sections will decide their own procedure.³ He is trying to get more definite information about this.

2. Meanwhile he and I agree that it would be just as well if Y.E. was uncertain on the point when you see Mr. Jinnah. If Mr. Jinnah could be persuaded to agree that this was the major point outstanding in regard to the Constituent Assembly and if Y.E. then promised to try and get it across the Congress, the way to an agreement might be open; whereas if Mr. Jinnah thought that the point had already been conceded by the Congress, he would undoubtedly ask for something else.⁴

G. E. B. ABELL

¹ R/3/1/124: f 143.

² See No. 309.

³ Mr Menon's letter of 11 September to Mr Abell in which he makes this point is on R/3/1/124: f 140. Mr Menon also gave his advice on points raised by Lord Pethick-Lawrence in No. 297.

⁴ Lord Wavell minuted: 'Thank you—Interesting.'

306

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/124: f 138

MOST IMMEDIATE
TOP SECRET

NEW DELHI, 11 September 1946, 12.15 pm
Received: 11 September, 9.30 am

No. 1910-S. I think Jinnah is likely to quote to me from the notes taken by Muslim League at interview with League representatives on 16th May.¹ It seems unfair to Congress not to let them know of the interpretation then given that the decision in the sections would be by majority vote of the representatives of the Provinces within the section. Also that the Constitutions for the Provinces would definitely be framed by the sections.

2. Also I may have to make it clear to the Congress that I am the convening authority for the Constituent Assembly and that the body is not within the authority of the Government of India. This was made clear by you and Sir Stafford Cripps at the interview. May I quote these points to Nehru as necessary?

¹ Vol. VII, No. 301.

307

*Mr Turnbull to Sir D. Monteath and Lord Pethick-Lawrence**L/P&J/10/75: f 311**11 September 1946*

Sir D. Monteath
Secretary of State

Please see the Viceroy's most immediate telegram below.¹ The record of the meeting to which he refers is at Flag X on the attached file.² At the end of the meeting the Muslim League asked if they could have a copy of the record. This was refused but they were told that they might see a copy and take notes from it. Sardar Rab Nishtar came and took notes on May 17th. This was the only occasion on which the Mission allowed their own records of the proceedings to be seen by the parties and it is undesirable to disclose to the Congress that the Muslim League had this privilege on this occasion.

There is no doubt that the explanations given to the Muslim League on the three points which the Viceroy mentions were in accordance with the intentions of the Mission but I doubt if the Viceroy need disclose these points to the Congress out of any sense of fairness to them. If, however, Mr. Jinnah bases his case for assurances now on these statements made by the Mission, it seems necessary to tell the Congress that these were the intentions of the Mission.

There is a much more awkward point than the ones mentioned by the Viceroy in the record of this meeting. This is the statement by Sir S. Cripps at the bottom of page 3 of the record that he presumed that if any question of interpretation arose the Viceroy would be the deciding authority in consultation with H.M.G. I believe that Sir S. Cripps said something in a different sense to Mr. Gandhi orally but of that we have no record. The Muslim League might well take their stand on this in refuting Nehru's position that interpretation should be by the Federal Court.

F. F. TURNBULL

¹ No. 306.² Vol. VII, No. 301.

308

*Lord Pethick-Lawrence to Field Marshal Viscount Wavell**Telegram, L/P&J/10/75: f 303*

MOST IMMEDIATE
TOP SECRET

INDIA OFFICE, 11 September 1946, 1.55 pm

Received: 11 September, 9.30 pm

No. 16574. Your telegram 1910-S.¹ I agree that if Jinnah bases his case for assurances on the three points you mention on notes taken by Muslim League

from record of meeting on May 16th² you should tell Nehru that in the course of the negotiations Mission informed the League that these were the intentions of the document. Please do not disclose to Nehru that the League saw copy of minutes of the meeting as this was only occasion on which this was permitted.

2. The two points to which you refer in paragraph 1 seem to me to be the obvious meaning of the Mission's Statement. The point dealt with in para. 2 is not mentioned in the Statement but I agree that it is correct. So far as I am aware no one has so far called this in question and I imagine you will not think it necessary to mention it unless specifically challenged.

¹ No 306.

² Vol. VII, No. 301.

309

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/124: f 145

IMMEDIATE

NEW DELHI, 12 September 1946, 12.25 pm

SECRET

Received: 12 September, 9.50 am

No. 1915-S. Thank you for your No. 16505 of 10th September agreeing to my sending for Jinnah.¹

I discussed the matter with Nehru today.² He thought Congress could not give way in advance on the issue of the sections deciding their own procedure and voting by counting heads and not by provinces. He thought the commitment by the Congress to Assam stood in the way. But I hear from other sources that the Congress may agree on this, which may be the crucial issue in deciding Jinnah to re-accept the statement of May 16th.

2. Nehru said there would be no difficulty about two other points that Jinnah may bring up: (1) that the decision of the Federal Court on what is a major communal issue should be binding on the Chairman and (2) that the Union Constituent Assembly should not interfere with or amend the group and provincial constitutions except to prevent overlapping with the legitimate sphere of the Union.

3. Nehru gave me the impression however that the Congress would much prefer to carry on by themselves at present and consolidate their position in the government and Constituent Assembly before dealing with the League. I told him this was no good and that we must make another determined effort to

¹ See No. 299, note 6.

² The conversation reported in this telegram in fact took place on 11 September. See *Wavell. The Viceroy's Journal*, p. 349, and cf. No. 305.

get the League in. He said he could not object to my sending for Jinnah which I have done.

3 IO

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/P&J/8/648: f 55

IMMEDIATE

NEW DELHI, 12 September 1946, 2.15 pm

Received: 12 September, 12.30 pm

1918-S. Your telegram 16479 September 9th.¹ Sind. I asked the Governor to try to secure a coalition and he handed on the request to his Premier. Premier's efforts to form a coalition failed. Congress refused to treat with him, except through Syed, with whom the League refused to deal. Similar attempts [?were made] at time of formation of Ministry and later broke down on this point.

2. I have now agreed to dissolution and fresh election.²

¹ No. 294.

² Mr Turnbull minuted with reference to this telegram: 'Has the P.M. replied to S/S's Minute [No. 289]? If he has any contrary views it is now virtually too late to do anything about it.' Mr Clauson replied that he understood that Mr Attlee had 'ticked the minute without comment', adding that a copy of the present telegram had been circulated to Mr Attlee. L/P&J/8/648: f 54.

3 II

Note by Field Marshal Viscount Wavell

R/3/1/124: ff 150-3

SECRET

13 September 1946

Note of a discussion on the political situation with Mr. Rajagopalachariar, 13th Sept. 1946

1. Rajagopalachariar said that he wished to discuss the political situation, and the forthcoming negotiations with Mr. Jinnah. He wanted to begin about the Interim Government, but I said that I should prefer to take the matter of the Constituent Assembly first, since I considered that the really important matter and it seemed perhaps to present less difficulties than the Interim Government.

2. It seemed to be common ground now that the compulsory meeting in Sections, as intended by the Mission, was accepted by both parties; but there seemed to be some difficulty still about the question of procedure within the

Sections. It was the definite intention of the Mission that voting inside the sections should be by a majority of the representatives, and they had given a definite pledge to that effect to the representatives of the Muslim League. It seemed also that the Congress had accepted this position, in view of the stand they made against the Europeans using their vote in Bengal; it was only lately that any idea at all of voting by Provinces had come up.

R. said that he understood that the Congress would not object to the procedure in the Sections being decided by majority vote of representatives. What the Congress felt anxiety about was that a Constitution should be imposed on a Province by such a majority vote against its will. It was therefore necessary that there should be some safeguard that the Provincial Constitution should be subject to ratification by the Provincial Assembly. I said that I understood that Jinnah had said in one of his statements that he was prepared for its submission if necessary to a plebiscite of the people. R. said that he did not think that this was the right procedure.

3. R. then went on to say that what Jinnah really wanted was compulsory separation of the Group, in fact Pakistan; and that he did not really intend to give Provinces a fair opportunity to opt out of the Group if they wished, as intended by the Mission. There must be some safeguard that a Province could opt out, and Jinnah must not be allowed to frustrate this provision of the Mission's Statement. I said that I entirely agreed that it was the intention of the Mission that Provinces should have the option as stated; the only way in which Jinnah could prevent it would be by so framing the Constitution of a Province that it could not fairly represent the wishes of its people. I said that it seemed to me that it would be extremely difficult, if not impossible, for the Muslim League to do this, since their majority in either Section B or C was certainly not overwhelming, and that they would see as reasonable men that they would only defeat their own object by trying so to manipulate the Provincial Constitution. R. said that if there was some guarantee that a Province would have a genuine opportunity to opt out of the Group, that would be acceptable.

4. He then went on to say that Nehru was in a difficulty because of pledges that he had given publicly to his supporters. He therefore wished the decision about procedure in Sections, etc., imposed by the findings of some legal authority, i.e. the Federal Court, even though he had no doubt that the decision would be in favour of the Mission's interpretation. Jinnah, on the other hand, wanted it accepted, without any judicial reference, that procedure would be in accord with the Mission's intentions as guaranteed to him. I said that I saw the point; but that I thought that Jinnah's interpretation was the right one, since that was clearly the intention of the Mission, and H.M.G. might find difficulty in going back on their pledge. We left it at that.

5. We then went on to the question of the Interim Government. R. said that Congress were quite willing for the League to come in, but not for the whole basis to be reopened. I said that the basis would be as already stated, i.e. that the quota would remain as at present, and that there was no intention of reopening this. R. then went on to the question of the nationalist Muslim. I said that I had always made my position clear to Jinnah and to others, that the Congress had a right to nominate a Muslim in their quota if they wished to do so; but that I thought it would be much wiser and more statesmanlike on the part of Congress not to insist on this; though from J's point of view I could never see that this would not be really an addition to his strength, since in all fundamental matters affecting the Muhammadan religion or rights, any Muslim would be likely to support his community.

6. R. then brought out the same arguments that had been used by Nehru, i.e. that to treat with the Muslims now would mean yielding to force, in view of the riots they had provoked in Calcutta. I said that the responsibility for the riots in Calcutta was a matter for judicial enquiry, and that I entirely refused to accept that they had been engineered by the Muslim League. Anyway, the argument about yielding to force did not impress me; it was a question of avoiding more violence and bloodshed, which would inevitably occur unless we got a settlement. He went on to use the same arguments as Nehru about the stability of the Government and the unsettling effect on some of the followers of Congress that fresh negotiations with the Muslim League might have. He showed in fact that the real object of Congress is to consolidate their position and then treat with the Muslim League as the man in possession. I said very firmly that I was quite determined to treat with the League and to get a settlement, and that it would be disastrous if we could not; it was the duty of all men of moderation and good sense to do everything possible to get the League in.

7. I got the impression that there is a strong party in the Congress, led by Nehru, and probably supported by Gandhi, to prevent the Muslim League from coming in if possible, though they dare not say so openly and have to profess eagerness to get the League in.¹

W.

¹ Lord Wavell sent a summary of this conversation to Lord Pethuck-Lawrence in tel. 1932-S of 14 September. R/3/1/124: f 154.

312

*Field Marshal Viscount Wavell to Pandit Nehru**R/3/1/124: ff 179-81**13 September 1946*

Dear Pandit Nehru,

I have received your recommendation¹ that certain points about the Constituent Assembly should be discussed in the Cabinet.

2. The first point is about the dates. I am clear that the Constituent Assembly can achieve little or nothing without League participation, and when Mr. Jinnah arrives we must both, I am sure, do everything possible to reach an understanding on the long-term plan and to secure a Coalition Government. Subject to this, I agree to the proposal that the Constituent Assembly should meet for a fortnight from the 14th October.

3. Various minor points are covered by the note. I agree to the proposals about the admission of the press and public, broadcasting of the proceedings of the inaugural session, medical aid, circulation of Sir B. N. Rau's pamphlets, and the setting up of a Reference and Research Section.

4. I propose to nominate the oldest member as provisional Chairman.

5. There is, I think, no difference of opinion on any of these points.

6. You will appreciate, however, that the Constituent Assembly is not within the authority of the Government of India. It is the Viceroy who is to convene the Constituent Assembly. It was he who was authorized by para 21 of the Statement of May 16th to request Provincial Legislatures to proceed with the election of representatives and it is clearly he who must summon them to Delhi in pursuance of para 19 (iii) of the Statement. This was made clear by the Secretary of State and Sir Stafford Cripps in reply to a specific question by the representative of the Muslim League at the interview which took place on May 16th,² at the time of the publication of the Statement. The invitations must therefore be issued under my direction, and I propose that they should be in the form attached which has already been communicated to the Secretary of State.

7. If there is anything arising out of this letter which you wish to discuss, I shall be glad to see you.

Yours sincerely,

¹ No. 282.² Vol. VII, No. 301.

Enclosure to No. 312

INVITATION

In pursuance of paragraph 21 of the Statement made by the Cabinet Delegation and His Excellency the Viceroy on the 16th May 1946, the Provincial Legislative Assemblies have elected their representatives to the Constituent Assembly. I am now, under H.E.'s instructions, to request you as a member of the Constituent Assembly to attend its first meeting which will be held at a.m. on October 1946 at the Constituent Assembly Chamber in the Council House, New Delhi.

313

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/124: f 158

IMPORTANT
TOP SECRET

NEW DELHI, 13 September 1946, 4.30 pm
Received: 13 September, 4.15 pm

No. 1925-S. Your 16480 of 10th September.¹ Intentions of Congress. I have no definite information but Nehru's phrase about Constituent Assembly not being arena for compulsion seems to be an answer to fear expressed in League resolution of 29th July² about overwhelming majority referred to later by Jinnah as "brute majority" of Congress. B. N. Rau has put up notes to Nehru on historical precedents showing clearly that constitutions can only be made by negotiation and agreement and this advice may have had its effect on Congress.

2. I am myself uncertain about meaning of phrase you quote in para. 4. Presumably it means what you say, but it is clear that Congress would accept decision of Federal Court on any matter of interpretation. As you say, double majority would be necessary for setting up of Federal Court as authority for this purpose. This League might accept provided essential points about sections, their powers and procedure were settled in advance.

¹ No. 297.

² See No. 86.

314

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/S&G/7/263: f 8

CONFIDENTIAL

NEW DELHI, 13 September 1946, 5.50 pm

Received: 13 September, 3.10 pm

1926-S. Your 16393, September 7th.¹ Recruitment to Secretary of State's services. I will let you know if I consider it necessary at any time to make public announcement that there will be no further recruitment.

2. It is proposed that scale of pay in new central Civil Service should be rupees 350 to rupees 2,200 divided into four grades, that recruitment should be by open competitive examination, and that members of this service should fill posts at the Centre normally held by Indian Civil Service officers and also, perhaps, some slightly lower posts. Provinces have been informed and asked whether any of them wish to have a joint cadre with the Centre or to borrow officers of the new service on deputation.

¹ No. 279.

315

Field Marshal Viscount Wavell to the Nizam of Hyderabad

R/3/1/124: f 149

No. 592/58

13 September 1946

My dear Nizam,

I have received Your Exalted Highness' letter of the 9th September¹ and fully appreciate your motives for writing to me about the political situation in the country.

2. I have just sent an invitation to Mr. Jinnah to come and see me and shall again do my best to secure a Coalition Government.

Yours sincerely,

WAVELL

¹ No. 292.

316

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

L/PO/10/23

PRIVATE AND SECRET

INDIA OFFICE, 13 September 1946

Received: 18 September

Many thanks for your letter of 3rd September.¹ I have taken the liberty of sending to the Prime Minister and my two colleagues on the Cabinet Mission, the gist of what you say in paragraph 1, and I have also given them copies both of Wylie's two important letters of August 29th² and 31st³ and of Jenkins' appreciation of the Punjab situation at the end of August 1946.⁴ I hope to have with them before long a full discussion of the present situation; Cripps is now back from Switzerland and the First Lord, although he is acting for Bevin as leader of the British Delegation in Paris, can always be got back for an important meeting. Meanwhile the Prime Minister readily agreed that you should go ahead with your approach to Jinnah and we await the outcome of your interview.

2. I am interested by your account of the swearing-in ceremony of the new Government; it seems as if Nehru were already feeling the responsibility of his office, and as if the new Government as a whole were not anxious to make trouble in regard to non-vital points.

3. I note what you say about Agatha Harrison's suggestion that Nehru should broadcast to the U.K. This particular corner was turned by the fact that the B.B.C. made plans to relay portions of the broadcast⁵ he made over All-India Radio; apparently, as it turned out, atmospheric conditions prevented this, but a fairly full summary of the broadcast was given in the B.B.C. News and in the newspapers. It seems to have been a reasonably statesman-like utterance.

4. The food situation was discussed in Cabinet on Monday and I have sent you a telegram⁶ as a result of the meeting. I hope that you will find the result not too unsatisfactory. I can certainly assure you that we are not relaxing our efforts in regard to India.

5. I am sorry that Nehru is definitely against making any approach to Smuts on the South African question; but as you say one can hardly be surprised at his taking this line.

6. I had hoped to be able to send you as a result of a meeting with my colleagues⁷ agreed proposals and figures which could be put before the Government of India regarding the compensation to be paid to officers of the Secretary

of State's Services on the coming into effect of the Constitutional changes. I am sorry to say that agreement was not reached and therefore I am unable to send it. On the other hand agreement was reached on the issue whether officers compulsorily sent on leave with a view to subsequent compulsory retirement should be treated for purposes of compensation as though their services were being disposed of due to the constitutional changes.⁸ On this point it was decided to accept the principles put forward in Abell's telegram to Monteat of the 6th September.⁹ But certain resulting details will have to be further investigated.

7. Turnbull has shown me Scott's letter of 29th August drawing my attention, at your request, to some paragraphs¹⁰ from Dow's letter to you of 24th/25th August, about recent dacoities in Bihar committed under the guise of political agitation (the full copy of Dow's letter has not yet reached us). The cases in question appear clearly to be persons convicted of crime and not detenus, and I agree that it is a deplorable state of affairs that Ministers should wish to release dangerous criminals on the ground that they are political offenders when it is clear that they are not. I notice that Burrows in his report¹¹ on the Calcutta disturbances has stressed the repercussions on law and order of the wholesale release of Goondas. In Bengal the persons released were detenus and these cases have not that justification. The riots in Calcutta must have been a warning to all, and one would have hoped that responsible Ministers, whether of Congress or the League, would have taken the warning to heart. I wonder whether you might make the Bihar cases an opportunity of having a word with Nehru informally on the subject. He could not, of course, take any action in his official capacity as a Member of your Executive Council, but it is possible—supposing he took a sensible line—that he might agree to use his personal or party influence with Congress Provincial Ministers.

There is of course the risk that, if you take that step, it will create a dangerous impression that you propose to allow the Central Government powers of control over Provincial Ministries in their own field, and I see that the Congress Press is already beginning to clamour for that sort of control over the Bengal administration. It is rather a different thing to ask Nehru to use his influence

¹ No. 248 ² No. 220. ³ No. 232.

⁴ No. 233. ⁵ See No. 275, note 3.

⁶ 16631 of 11 September. The telegram gave details of the estimated amounts of cereals destined for India up to the end of November 1946 but stated that H.M.G. were unable to agree to any further diversion of Canadian wheat to India at present. L/E/8/3386.

⁷ The Meeting of the India and Burma Committee took place on 12 September 1946. See I.B. (46) 4th Meeting, Minute 1. R/30/1/8: ff 68-73.

⁸ See I.B. (46) 4th Meeting, Minute 2. L/S&G/7/904: f 46.

⁹ *Ibid.* f 53.

¹⁰ The paras. referred to are on L/P&J/8/626 at f 7.

¹¹ No. 197, para. 14 (2).

as President of Congress with his own followers. The matter is one which I must leave to your judgment, though there are dangers too about building up the authority of a Party over any Executive. But subject to your opinion, I think it would be worth taking the risk in such a case as this.

[Para. 8, on Sir F. Puckle's tenure of office as Adviser on Indian Affairs to the British Embassy in Washington; para. 9, on Sir H. Rance's conversations in Delhi; and para. 10, on a letter received from Professor A. V. Hill on the Indian population problem, omitted.]

317

Lord Pethick-Lawrence to Mr Attlee

L/PO/6/117: ff 42, 45-82

INDIA OFFICE, 13 September 1946

Secretary of State's Minute: Serial No. 55/46

Prime Minister,

The note below contains in Parts A and B a connected account of how the present deadlock in regard to the Constituent Assembly arose, and the statements by the Party Leaders and ourselves at different stages. Part C contains some suggestions as to how we should deal with the position if the Viceroy's attempt to negotiate a settlement of it fails. Only part C need be read, but I think you may find it useful to have in a single paper a connected account for reference of the circumstances which have led up to the present situation.

2. If the Viceroy fails in his present effort I should like to discuss Part 'C' of this paper with you and the President of the Board of Trade and the First Lord.¹

PETHICK-LAWRENCE

TOP SECRET

THE INDIAN POLITICAL SITUATION

NOTE BY THE SECRETARY OF STATE FOR INDIA

1. The main subject which I wish to discuss with my colleagues is the political situation and in particular the steps to be taken to secure the renewal of co-operation by the Muslim League.

2. I deal in this note with the question of procedure in the Constituent Assembly in its relation to the formation of Groups of Provinces. The note is divided into three sections. The first two are an historical statement of the

circumstances, the first during the Cabinet Mission and the second subsequently; the third section discusses what our policy should be.

A. Events during the Cabinet Mission

3. The relevant provisions of the Cabinet Mission's Statement are the following:—

Paragraph 15 (5)—"Provinces should be free to form Groups with Executives and Legislatures, and each Group could determine the Provincial subjects to be taken in common."

(This is one of the basic recommendations as to the form of the new constitution which cannot, under paragraph 19 (vii), be altered without a majority of both the major communities).

Paragraph 19 (v)—"These Sections shall proceed to settle Provincial constitutions for the Provinces included in each Section and shall also decide whether any Group constitution shall be set up for those Provinces and, if so, with what Provincial subjects the Group should deal. Provinces should have power to opt out of Groups in accordance with the provisions of sub-clause (viii) below."

Paragraph 19 (viii)—"As soon as the new constitutional arrangements have come into operation it shall be open to any Province to elect to come out of any Group in which it has been placed. Such a decision shall be taken by the Legislature of the Province after the first general election under the new constitution."

4. On the afternoon of the 16th May, just prior to the release of the Statement, the Mission gave interviews to the leaders of the main parties at which they gave them the text of the Statement and offered to explain any points on which they were not clear. The President of the Board of Trade and I gave an interview to the Muslim League leaders² in the course of which they asked whether it was correct that each section of the Constitution-making Body would be entitled to frame the constitution for Provinces in it irrespective of whether they attended or not, and also to determine whether there should be a Group and what the Group subjects should be, subject only to the right of a Province to opt out after the constitution had been framed. We said that this was in accordance with the document and that the option would be exercisable after the whole picture, including the Union constitution, had been completed.

5. Early on the 18th May Mr. Gandhi raised with Sir S. Cripps and myself orally various points about the Statement which included the interpretation of

¹ Mr Attlee did not reply to this minute but the subject was discussed at the meeting held at

² 10 Downing Street on 23 September (see No. 354).

³ See Vol. VII, No. 301.

the provisions relating to grouping. He contended that the provision in paragraph 15 (5) was basic and overrode the provisions of paragraph 19 (v), that there was an inconsistency between "Provinces shall be free to form Groups" and the element of compulsion contained in paragraph 19 (v), and that therefore the correct interpretation was that it was open to Provinces not to attend the Sections of the Constituent Assembly or, if they did attend, to refuse from the outset to join any Group which was set up. Gandhi's language was, as usual, obscure and he seemed to be most concerned to establish that the British Government were not seeking to impose anything on India. I sent him³ the transcript of the reply I had given at the Press Conference in which I explained that, while paragraph 15 was in the form of recommendations, those provisions as regards the constitution had been included because we felt them to be an essential basis to secure all-party co-operation and that they could not therefore be altered without the agreement of both parties. This had an unfortunate effect on Gandhi who took up the point in writing.

6. Almost simultaneously we received a letter⁴ from the Congress President which made the same point in the following words:—

"The basic provision (15 (5)) gives full autonomy to a Province to do what it likes and subsequently there appears to be a certain compulsion in the matter which infringes that autonomy. It is true that at a later stage the Provinces could opt out of any Group. In any event it is not clear how a Province or its representatives can be compelled to do something which they do not want to do. A Provincial Assembly may give a mandate to its representatives not to enter any Group or a particular Group or Section. As Sections B and C have been formed it is obvious that one Province will play a dominating role in the Section. It is conceivable that this dominating Province may frame the Provincial constitution entirely against the wishes of Sind or the North-West Frontier or Assam. It may even conceivably lay down rules for elections and otherwise thereby nullifying the provision for a Province to opt out of a Group. Such could never be the intention as it would be repugnant to the basic principles and policy of the scheme itself."

The Mission in their reply⁵ said that the scheme stood as a whole and could only succeed if it were accepted and worked in a spirit of compromise and co-operation and that "the reasons for the grouping of the Provinces are well known and this is an essential feature of the scheme which can only be modified by agreement between the two parties." Notwithstanding this the Congress resolution of the 24th May⁶ contained a passage in the following terms:—

"In order to retain the recommendatory character of the Statement and in order to make the clauses consistent with one another the Committee read paragraph 15 to mean that in the first instance the respective Provinces will make their choice whether or not to belong to the Section in which they are

placed. Thus the Constituent Assembly must be considered as a sovereign body with final authority for the purpose of drawing up the constitution and giving effect to it."

7. The Mission felt it necessary to clear up the position on this point publicly and on the 25th May⁷ they issued a statement paragraph 8 of which reads as follows:—

"The interpretation put by the Congress resolution on paragraph 15 of the Statement, to the effect that the Provinces can in the first instance make the choice whether or not to belong to the Section in which they are placed, does not accord with the Delegation's intentions. The reasons for the grouping of the Provinces are well known and this is an essential feature of the scheme and can only be modified by agreement between the parties. The right to opt out of the groups after the constitution making has been completed will be exercised by the people themselves, since at the first election under the new provincial Constitution this question of opting out will obviously be a major issue and all those entitled to vote under the new franchise will be able to take their share in a truly democratic decision."

8. Although this subject occasionally came up in informal conversations it was not referred to again in the official correspondence with the Congress until the receipt of Azad's letter of the 25th June⁸ (Cmd. 6861 item 31). After giving the reasons why Congress could not accept the proposals for an Interim Government contained in the Statement of the 16th June this letter concludes with the following paragraph:—

"With regard to the proposals made in the Statement of 16th May, 1946, relating to the formation and functioning of the constitution-making body, the Working Committee of the Congress passed a resolution on the 24th May, 1946, and conversations and correspondence have taken place between Your Excellency and the Cabinet Mission on the one side and myself and some of my colleagues on the other. In these we have pointed out what in our opinion were the defects in the proposals. We also gave our interpretation of some of the provisions of the statement. While adhering to our views, we accept your proposals and are prepared to work them with a view to achieve our objective. We would add, however, that the successful working of the Constituent Assembly will largely depend on the formation of a satisfactory Provisional Government."

There was considerable discussion within the Mission as to whether this should be regarded as an acceptance of the Statement of May 16th. The Viceroy considered that it was not a clear acceptance and that the Congress

¹ Vol. VII, No. 321.

⁴ Vol. VII, No. 340.

⁵ Vol. VII, No. 355.

⁶ Vol. VII, Enclosure to No. 370.

⁷ Vol. VII, No. 376.

⁸ Vol. VII, No. 603.

had mental reservations about grouping. It was, however, possible to read the letter as meaning that while the Congress held the views which they had expressed in correspondence and in their resolution of May 24th, they none the less accepted the proposals, and it was decided that this letter constituted an acceptance. It is only fair to the Viceroy to admit that the difficulties in which we now find ourselves result from the failure to get clear satisfaction on this point. But our judgment at the time was that to press it to a final conclusion would result in Congress not accepting the Statement of May 16th. My own judgment was that this troublesome interpretation of the Mission's Statement was an idea of Gandhi's to which the Congress Working Committee felt bound to defer but which they did not intend to press to the extreme point of breaking up the Constituent Assembly.

9. On the 26th June the Delegation saw Azad, Nehru, Rajendra Prasad, and Vallabhbhai Patel⁹ and informed them that they regarded Azad's letter quoted above as an acceptance of the Statement of May 16th but wished to make it perfectly clear that the Mission did not depart from their view that their interpretation as set out in their Statement of May 25th was the correct one and that any departure from it by resolution of the Constituent Assembly required the agreement of both parties. Dr. Azad said they considered that Congress could function in the Constituent Assembly in a particular way. Congress was opposed to the grouping proposal but obviously they were not going into the Constituent Assembly to break it up and, whatever the interpretation of the Statement, it would have to reconcile itself with the facts of the situation. The Constituent Assembly would obviously function in accordance with its rules but clearly also a Province could stay away. The Mission said that no-one could be compelled to come into the Constituent Assembly but the machinery would go on even if there were absentees. The essence was that there should be Section meetings with the right to opt out after the constitution had been framed. Pandit Nehru said there were many things the Congress did not like in the Statement. They might get over the obstacles or they might not.

B. Events since the return of the Cabinet Mission

10. Early in July the Congress held a meeting of their All-India Committee at Bombay at which a resolution confirming the Congress acceptance of the Statement of May 16th was passed. Speeches were made by all the important Congress leaders which were mainly directed to countering the attacks of the Congress Left Wing. These speeches contained a number of unfortunate statements which had a most adverse effect on Jinnah and the Muslim League. A series of extracts from these speeches are contained in Appendix II. It will be seen that these included, in particular, statements that Provinces would be free to decide whether they wished to join a particular Group or not; that the

Congress were bound to nothing except to go into the Constituent Assembly; a statement by Nehru that in practice there would not be any grouping, and another which implied that the Congress intended greatly to expand the scope of the three Union subjects. This last called forth a protest to the Viceroy from the Chancellor of the Chamber of Princes.¹⁰

11. In order to counteract these statements the Viceroy advised¹¹ that Government spokesmen in the India Debate on the 18th July should give some reassurance that the Statement of the 16th May would be adhered to and, with the Viceroy's concurrence, the President of the Board of Trade and I included in our speeches passages the texts of which are reproduced in Appendix I to the effect that the parties in joining the Constituent Assembly were at perfect liberty to advance their own views on what should or should not be the basis of the future constitution and as to how the Constituent Assembly should conduct its business, "but having agreed to the Statement of 16th May on the Constituent Assembly, and having been elected in accordance with that Statement, they cannot of course go outside the terms of what has been agreed. That would not be fair to other parties who have come in and it is on the basis of that agreed procedure that H.M.G. have said that they will accept the decision of the Constituent Assembly".

12. Mr. Jinnah has since asserted that this statement was far too indefinite to be relied upon.¹²

13. A further important cause of the Muslim League's withdrawal of its acceptance was a resolution passed by the Assam Legislative Assembly on the 16th July.¹³ After the Assam representatives to the Constituent Assembly had been elected a resolution was passed directing the representatives not to attend the Section meeting for the purpose of settling the constitution of the Province of Assam and to resist any attempt to set up a Group constitution [? covering] the subjects in which the Province of Assam is interested. It authorised them, however, to take part in the Constituent Assembly for the purpose of settling the Union constitution. The Muslim League believed this resolution to have been passed at the direction of the Congress Working Committee but secret information shows that, in fact, the Premier of Assam was reproved by Nehru who told him that the resolution went too far.¹⁴ While it was the policy of Congress to oppose grouping they did not necessarily oppose meeting in Sections.

14. At the end of July the Viceroy addressed to the Presidents of Congress

⁹ See Vol. VII, No. 612.

¹⁰ See No. 27.

¹¹ See Nos. 34 and 39.

¹² A detailed account of Mr Jinnah's speech to the Council of the All-India Muslim League on 27 July 1946 during which he criticised the assurances given in Parliament on 18 July is on L/P&J/10/73: ff 144-8.

¹³ See No. 44.

¹⁴ See No. 106.

and the Muslim League a letter¹⁵ inviting them to resume negotiations for an Interim Government on the basis of 6:5:3 proportions on the understanding that either major party could nominate for their own quota any person irrespective of community, and that the 6 Congress seats would include a representative of the Scheduled Castes. Mr. Jinnah did not reply¹⁶ to this letter until after the Bombay meeting of the All-India Muslim League Council at which resolutions¹⁷ withdrawing the Muslim League's acceptance of both the long and short term plans were passed. The texts of these resolutions will be found in Appendix III. While the uncertainties created by Congress utterances on the grouping question were one main ground for this change of attitude, the League were probably as much affected by their belief that they had been unfairly treated in regard to the Interim Government.

15. The League resolution of the 29th July contended in regard to the grouping issue—

- (a) that Congress had not accepted the Statement of May 16th because their acceptance was conditional and subject to their own interpretations which were contrary to the authoritative statements of the Delegation and the Viceroy issued on May 16th and 25th.
- (b) that Congress leaders had stated that they did not accept any of the terms or fundamentals of the scheme but they agreed only to go into the Constituent Assembly and nothing else, and that the Constituent Assembly is a sovereign body and can take such decisions as it may think proper in total disregard of the terms and basis on which it is to be set up.
- (c) that neither Sir S. Cripps nor the Secretary of State in the course of the Debates in Parliament had provided or suggested any means or machinery to prevent the Constituent Assembly from taking decisions which would be ultra vires.
- (d) that once the Constituent Assembly has met there is no power that could prevent any decision from being taken by Congress with its overwhelming majority which would not be competent for the Assembly to take or which would be ultra vires to it, however repugnant it might be to the letter or the spirit of the scheme. Congress will be in a position to use the Assembly to wreck the basic form of Group Provinces and extend the scope of the powers and subjects of the Union Centre which are confined strictly to three specific subjects as laid down in paragraph 15 and provided for in paragraph 19 of the Statement of 16th May.

16. In view of the withdrawal of the Muslim League's acceptance of the Statement of May 16th the Viceroy submitted¹⁸ that he was bound by paragraph 8 of the Statement of June 16th to form an Interim Government with

the Congress and minority elements, much as he disliked the idea of an Interim Government containing one major party only. The India Committee and the Cabinet considered the situation at this stage (C.P. (46) 315)¹⁹ and we decided²⁰ that we must proceed with the Interim Government and Constituent Assembly without the Muslim League if necessary. Nehru accepted²¹ the invitation²² to make recommendations for the Interim Government and simultaneously the Congress Working Committee passed a resolution on August 10th which contained the following passage on the subject of the Constituent Assembly:—

[There follow extracts from paras. 3 and 4 of No. 137, the passage concluding: "The Committee hope the Muslim League and all others concerned will join in its great task."]

Mr. Jinnah at once repudiated this offer²³ on the ground that it was self-contradictory in stating that the Congress accepted the scheme in its entirety and at the same time interpreted it to mean something different to what the Mission had stated were their intentions.

17. The Viceroy has consistently emphasised to Nehru the importance of securing a Coalition with the Muslim League and Nehru visited Jinnah in Bombay. Nehru reported to the Viceroy²⁴ that he had offered Jinnah 5 seats in a Government of 14, all the remaining members being chosen by Congress, though they would include representatives of the Sikhs, the Scheduled Castes and the Parsees. He gave Jinnah assurances that no major communal issue would be settled in the Constituent Assembly without a majority of both major parties, that disputed points would be referred to the decision of the Federal Court, and that Congress would not oppose grouping by Provinces if the Provinces wished it. He had indicated that a Congress Muslim might be included in the Congress quota. Mr. Jinnah's account²⁵ of this interview is that, in addition to the above points, Nehru said that he was not forming an Executive Council under the present constitution but a Provisional Government responsible to the present Legislative Assembly, and that the Congress resolution of August 10th had only reaffirmed the position taken by the Congress in their resolution of June 26th²⁶ in regard to the grouping of Provinces.

18. On the 24th August the Viceroy made a broadcast in connection with the announcement of the names of the new Interim Government. In this he

¹⁹ No. 63. ¹⁶ No. 97. ¹⁷ No. 86.

¹⁸ See No. 96. Lord Wavell's reasons for his recommendation were somewhat different from that given here.

¹⁹ No. 101. ²⁰ No. 104. ²¹ No. 138. ²² See No. 118.

²³ The full text of Mr Jinnah's statement of 12 August 1946 is on L/P&J/10/73: ff 80-1.

²⁴ See No. 164.

²⁵ A detailed account of Mr Jinnah's statement of 18 August 1946 is on L/P&J/10/73: f 76. See also Enclosure to No. 187.

²⁶ Vol. VII, Enclosure to No. 603.

made an appeal for Muslim League co-operation in the Government, which contained the following passage:—

[There follows the text of No. 199, para. 10, second sentence.]

Mr. Jinnah replied to this by saying²⁷ that it was no use saying that the Statement would not be departed from when the point at issue was what it meant. There was no provision in the Statement for its interpretation by the Federal Court; "If the Viceroy's appeal is really sincere and if he is in earnest he should translate it into concrete proposals by his deed and action".

19. On the 26th August the Viceroy returned from a visit to Calcutta where he had examined the riot situation. The latest estimates of the casualties in the Calcutta rioting during August are three thousand people killed and 17,000 wounded, and 100,000 homeless. On the 27th August the Viceroy telegraphed²⁸ that Calcutta was now quiet but communal tension was probably worse than ever, that he saw no chance of avoiding further or more serious rioting in Calcutta and elsewhere unless there was some settlement between the main communities at the Centre. Nazimuddin, a moderate and honest Muslim League leader in Bengal, had told the Viceroy that the League might reconsider their withdrawal of their acceptance if the Congress unequivocally accepted the position that Provinces could not opt out of the Sections or Groups until the final exercise of their option under the new constitution. The Viceroy said that he was seeing Gandhi and Nehru that evening to press them to make such a declaration.

20. The Viceroy asked Gandhi and Nehru to make on behalf of Congress the following statement:—²⁹

"Congress are prepared in the interests of communal harmony to accept the intention of the Statement of May 16th that Provinces cannot exercise any option affecting the membership of the Sections or of the Groups, if formed, until the decision contemplated in paragraph 19 (viii) of the Statement of May 16th is taken by the new Legislature after new constitutional arrangements have come into operation and the first general elections have been held."

The Viceroy told them that he could not undertake the responsibility of convening the Constituent Assembly until this point about its procedure was settled. Gandhi then produced a long legalistic argument on the interpretation of the Mission's Statement and the interview evidently became somewhat heated. After consulting the Working Committee of Congress Nehru declined³⁰ to give the proposed assurance to the Muslims. He referred to the Congress resolution quoted above and added that the Congress had made it clear that any dispute as to the interpretation of clauses relating to grouping might be referred to the Federal Court and that Congress would abide by this decision. The interview also evoked an unpleasant letter from Gandhi³¹

virtually threatening withdrawal from the Interim Government. This interview took place at short notice and I was unable to advise the Viceroy in time but immediately requested him³² not to bring the matter to a point at which Congress declined to co-operate in the Interim Government. The rather critical situation evoked by the Viceroy's move has been smoothed over for the time being by the Viceroy taking a more temporising line.

21. Nehru has agreed to a temporary postponement of the meeting of the Constituent Assembly but urged that it must not be indefinite.³³ The Viceroy has since continued to urge on him the importance of securing a Coalition Government and Muslim co-operation in the Constituent Assembly, but Nehru has said that the present Government should not be regarded as a new Caretaker Government until such time as the Muslim League are pleased to co-operate, or be debarred from taking strong action as they deem necessary. In a broadcast on the 8th [7th] September,³⁴ however, Nehru did make the following statement which is a definite advance on the previous Congress position:—

"We are perfectly prepared to, and we have accepted the position of, sitting in Sections which will consider the question of the formation of Groups. . . . We do not look upon the Constituent Assembly as an arena for conflict or for the forcible imposition of one viewpoint over another. That would not be the way to build up a contented and united India. We seek agreed and integrated solutions with the largest measure of goodwill behind them."

C. The issues for decision

22. The preceding paragraphs outline the development of the present situation and the attitude of the two parties towards it. I agree with the Viceroy in thinking that if we could find a solution of the difficulty about grouping we should have a better chance of dealing with the intractable question of the Interim Government.

23. The intention of the Mission certainly was that the first meeting of the Constituent Assembly should be confined to dealing with procedural matters, that the framing of the Provincial constitutions, the decision whether there should be a Group, and the framing of any Group constitution should be decided by majority vote in the Sections, and that a Province should not exercise its option whether or not to remain in any Group in which it has been placed until after the first election under the new constitution. But there is no doubt that there is some inconsistency in the wording of the Statement quoted

²⁷ The text of Mr Jinnah's comments (made on 26 August) on the Viceroy's broadcast is on L/P&J/10/73: f 9.

²⁸ No. 204.

²⁹ No. 205.

³⁰ No. 211.

³¹ No. 207.

³² No. 213.

³³ No. 216.

³⁴ See No. 275, note 3.

in paragraph 3 above and I do not feel confident that the Federal Court would necessarily interpret the document in the sense we intended.

24. At every important stage in the negotiations Congress have reiterated their own view and they can legitimately say that their acceptance has always been subject to their right to urge that interpretation. They have never modified their position until Nehru's broadcast of the 8th [7th] September quoted in paragraph 21 above. The fullest statement of their position, and the reasons for it, is that in the Congress resolution of 24th May, quoted in paragraph 7[6], page 5, above, and the Congress President's original letter, which was not published, quoted in paragraph 6, pages 3 and 4 above. The contention is that Provincial representatives can refrain from going to Section meetings or can refuse to accept the decisions of the Section meeting and withdraw at any stage and not only by opting out under paragraph 19 (viii) of the Statement after the new constitution for the Province has taken effect.

25. I feel convinced that there are two distinct reasons for the Congress adopting this idea. The first is their strong dislike of the whole idea of grouping as being a development which would facilitate a later creation of Pakistan by a Group, already closely integrated, breaking away from the Union. This fear is not entirely without foundation since the Muslim League in their resolution of the 6th June³⁵ accepting the Statement of May 16th said that the League were willing to co-operate with the constitution-making machinery proposed in the interests of a peaceful solution and "inasmuch as the basis and foundation of Pakistan are inherent in the Mission's plan by virtue of compulsory grouping of the six Muslim Provinces in Sections B and C", in the hope that it would ultimately result in the establishment of complete sovereign Pakistan. Secondly, however, there is the objection vociferously raised by the Congress supporters in Assam and the North-West Frontier Province that if the Provincial constitution is framed by majority vote of the Section the constitutions of those Provinces will be determined by the votes of Bengal, and of Sind and the Punjab respectively. Consequently, as pointed out in Azad's letter quoted in paragraph 6, pages 3 and 4 above, the Provincial constitutions for these Provinces might be framed against the wishes of the inhabitants and it is even possible that rules for elections and otherwise might be laid down which would nullify an effective expression of the wishes of the population of the Province in regard to opting out of the Group.

26. The Muslim League accepted the Statement of May 16th and are only asking that it shall be enforced in accordance with the expressed intentions of the Cabinet Mission. Sir Stafford Cripps and I interviewed the Muslim League representatives just before the publication of the Statement³⁶ in order to elucidate any points which the League representatives found

difficulty in understanding. In reply to their questions we told them that the Sections of the Constitution-making Body would be entitled to frame the constitution for Provinces within it irrespective of whether they attended or not, that the decisions of the Section would be taken by majority vote, and that the Statement was not to be the subject of negotiation. The only alternatives which could be considered would be those agreed upon by the two main parties. On the question of interpretation we said that if the question arose we presumed that the Viceroy would be the deciding authority, acting in consultation with H.M.G. when necessary. The Muslim League were allowed to see the official record of the meeting and to take their own notes from it. Apart from the question of the Interim Government, what the League mainly require is an assurance that the Statement of May 16th will be honoured and observed in accordance with the Mission's intentions. This is emphasised by the League resolution of 29th July, see paragraph 15, pages 11 and 12 above, and Jinnah's remarks in his statement on the Viceroy's broadcast (end of paragraph 18, page 15 above). The Viceroy has reported that Liaquat Ali Khan in conversation with one of his staff³⁷ said that the League want assurances—

- (a) that Sections would sit as such and frame the Group and Provincial constitutions;
 - (b) that there would be no opting out except as provided in paragraph 19 (viii);
 - (c) that the Union Assembly would have no power to alter Group or Provincial constitutions except to prevent overlapping with the Union constitution, on the scope of which the Federal Court might decide.
- (c) is a new point which is not specifically dealt with in the Statement of May 16th though it is clearly in accordance with our intentions.

27. The Viceroy is inviting Jinnah to see him within the next few days and this should show whether it is assurances in this sense that are necessary in order to meet the League.

28. I suggested to the Viceroy that he should propose to Nehru that the Congress should seek an agreement with the League in the terms set out in Appendix IV.³⁸ The essence of this formula is paragraph C (ii) which provides that in the Section Constituent Assembly decisions relating to Provincial constitutions, except in so far as they are necessarily determined by the character of the Group constitution, shall require the support of a majority of the representatives of the Province concerned. The object is to meet what I regard as the legitimate apprehensions of Assam and the North-West Frontier referred to in paragraph 25 above and still more important to give Congress themselves

³⁵ Vol. VII, Enclosure to No. 469.

³⁶ Vol. VII, No. 301.

³⁷ No. 242.

³⁸ See Nos. 213 and 219.

some advantage which they can display to their followers as the price of modifying their publicly expressed attitude on the grouping question. If this were conceded by the Muslim League the position of Assam and North-West Frontier Province would be protected because they can certainly opt out of the Group constitution later and their own representatives could block any proposition in regard to the Provincial constitution which is objectionable from a Provincial point of view and especially any such as undermine the opting out provision. The Viceroy opposes³⁹ this proposition mainly on the ground that we should be giving our support to a departure from the strict terms of the Statement, but we have always said the Statement can be modified by agreement between the parties and my proposal is that that is what should be done. His other objection is that a Province such as N.W.F.P. has only three representatives in the Constituent Assembly and that one of these is not a native of the Province. But the Provincial representatives can keep in touch with the opinion of their own supporters in the Province and what I propose is surely less unsuitable than that a majority of voters from other Provinces, who have no interest in the matter, should decide the Provincial constitution.

29. The Viceroy accepts this formula with the omission of paragraph C (ii) and an addition to paragraph C (i) indicated at the end of Appendix IV. This deprives the formula of any of the merits referred to in the preceding paragraph and in that form I should regard it as doubtful whether Congress would accept it. They will not accept it in any case unless they really wish to have a settlement. The Viceroy's judgment is that at present Nehru does not really want the Muslim League to come in.

30. It is clear that we must make a determined effort in the near future to get the Congress to make a sufficient concession to secure the entry of the League into the Constituent Assembly. Whatever we may decide about my proposed formula for this purpose, the position is that if all such attempts fail to obtain joint agreement we are faced with the choice between extremely unpleasant alternatives. These are—

- (a) that we keep the Congress Interim Government in office and convene the Constituent Assembly without the Muslim League.
- (b) that we refuse to convene the Constituent Assembly except on the basis approved by the Cabinet Mission.

The line to be taken in dealing with the Congress on this subject will depend to a considerable extent on which of these alternatives we propose to adopt in the last resort.

31. The Viceroy is strongly opposed to alternative (a) and has stated definitely in telegram 1889-S of 9th September,⁴⁰ paragraph 7, that he would rather lose the co-operation of Congress at the Centre and in the Provinces

than proceed with constitution-making on a one-party basis in a way which the Mission never intended. I doubt whether the Viceroy would be willing to remain in office if we chose this course. There is no doubt also that we are committed by our own statements, particularly that of the 25th May quoted in paragraph 7, page 5 above, by our statements to the Muslim League quoted in paragraph 26 pages 20 and 21 above, and by speeches in the Parliamentary Debate on 18th July (Appendix I), to the position that the Constituent Assembly will function in accordance with our intentions, and we should be hard put to it to justify allowing it to meet on any other basis. Once it is convened and allowed to function on another basis I do not see that we could refuse to allow it to proceed to frame a constitution without any restrictions and in particular if the Muslim League were not present there would be no one to oppose a resolution fundamentally at variance with our intentions:—e.g. that the Sections should not meet at all. Apart from this, there is the serious practical consideration that, whether or not Congress in fact attempt to exploit the situation to their advantage, to allow the constitution to be determined by the Congress alone would lead to a direct action campaign by the Muslim League and serious communal disturbances accompanied quite possibly by the disintegration of the Indian Army. Moreover, if the Congress were permitted, in the face of our expressed intentions to the contrary, to overthrow the provisions of the Statement of May 16th about grouping, they would be likely to take this as clear evidence that we were not prepared to risk losing their co-operation in any circumstances, and this would bring to a head all sorts of demands for full power in the interim period which we should not be in a position to resist. For instance, we have publicly undertaken that Paramountcy will not be transferred to an Indian Government and that the Treaty obligations to the Indian States will continue in the interim period. We might be driven to abandon this assurance. The probability is that we should have to use British troops either to support the Congress Government or to turn it out as a usurper of powers not intended to pass to it, (i.e. in either case to take part in a civil war) or should have to withdraw entirely from India without a constitutional settlement. In any of these alternatives the position for Europeans in the Services and in other capacities would become intolerable.

32. Alternative (b) involves the immediate risk of losing Congress co-operation. We should then certainly be faced with a grave situation such as was contemplated if the negotiations of the Cabinet Mission had failed entirely. The Mission (by a majority) proposed⁴¹ that in those circumstances, if the existing position could not be held, the best course would be to hand over the Hindu Provinces to Congress administration but to remain in the Muslim Provinces temporarily. The Cabinet (C.M. (46) 55th conclusions)⁴² disliked this

³⁹ See No. 255.

⁴⁰ No. 291.

⁴¹ Vol. VII, No. 442.

⁴² Vol. VII, No. 455.

proposal but also disliked the possibility of withdrawing from India as a whole. Subsequently the Defence Committee endorsed an opinion of the Chiefs of Staff that a withdrawal into the Pakistan areas would create a situation unacceptable on military grounds (C.P. (46) 229)⁴³ but the Cabinet reached no final conclusion. The Viceroy is sending by air mail an up-to-date appreciation⁴⁴ of his views as to what should be done if such a situation has to be faced and I hope that this will be available for consideration by my colleagues together with this paper.

33. My view is that we should exhaust every possibility of negotiating a solution, and if the Viceroy's present effort fails I think we should invite Nehru and Jinnah to come to London, with up to three of their own colleagues, for further conversations. We should, I suggest, ask the Viceroy here three days beforehand for preliminary talks and we should seek to convert him to the formula which I have already suggested. We might add to this formula a provision that the Group constitution will not be changed by the Constituent Assembly as a whole except in so far as the provisions of the Union constitution require, the scope of this field and of the similar field between the Group and the Provincial constitutions to be determined by the Federal Court. The formula would then give something to both sides and might become acceptable.

34. If this were to fail and no other way of breaking the deadlock appeared possible I am not convinced that we need necessarily refuse altogether to convene the Constituent Assembly. I think we might consider issuing a further Statement by H.M.G., to the effect that as the agreement reached on the Statement of May 16th had broken down, and as this result appears to flow from uncertainties or differences of opinion about its procedure, H.M.G. now propose to convene Sections A, B, and C, of the Constituent Assembly separately for the purposes defined in the Statement of 16th May. They would subsequently convene a joint meeting for the purpose of framing a Union Constitution. In modification of the Statement of May 16th provision might be made (a) that in framing Provincial constitutions decisions of the Sections would require a majority of the representatives of the Province concerned except in so far as they are determined by the character of the Group constitution, and (b) that Group constitutions could only be modified by the joint Session in so far as is required by the character of the Union constitution. Disputes as to the extent to which the Group and Union Constitution require the Provincial and Group Constitutions to take a certain shape would be decided by the Federal Court. The Minorities Advisory Committee would have to be nominated by a Committee of which a fixed proportion would be nominated by each Section from its own members.

35. It might be that Congress would reject this. If so we might consider

whether to proceed with Sections B and C; and if the position in the Hindu Provinces got out of hand withdraw into the Provinces in Sections B and C in order to protect them during the working out of their Provincial and Group Constitutions. Congress might be very reluctant to drive us to do this. If they did cooperate a Coalition Government ought then also to become practicable.

36. The above plan appears to me to be more justifiable politically than a bare refusal to convene the Constituent Assembly. It implements the essentials of the plan to which both parties agreed and puts the onus of a breach on to the Congress; while, if we are driven by wholesale Congress disturbances out of Hindu India, the result which Congress achieve by that is no better for them than the result of cooperating in the Section Constituent Assembly for Group A even if, in the end, agreement cannot be reached on a Union Constitution.

Appendix I to No. 317

EXTRACTS FROM SPEECHES OF THE SECRETARY OF STATE AND THE PRESIDENT OF THE BOARD OF TRADE IN THE DEBATES ON 18TH JULY

A. Lords Debate

Secretary of State's Opening Speech

"... What we did was to offer a framework of a constitution and to invite Indians to join in constitution-making machinery on this basis. The three-tier basis is, therefore, nothing more than our recommendation to the Indian people, but as it is on this basis that we were asking the parties to join in the formation of a Constituent Assembly, it was necessary in a later paragraph in our statement, namely Paragraph 19 (vii), to stipulate that the provisions of the earlier paragraph 15 could not be varied without a majority of each of the two major communities.

* * * * *

... Before I leave this matter of the Constituent Assembly I should perhaps say a few words regarding some recent reports from India as to the intentions of the Parties in joining the Constituent Assembly. We saw both Parties shortly before we left India, and they said to us quite categorically that it was their intention to go into the Assembly with the object of making it work. Of course, they are at perfect liberty to advance their own views of what should, or should not, be the basis of a future Constitution. That is the purpose of the Constituent Assembly, to hammer out agreement from diverse opinions and plans. Likewise, they can put forward their views as to how the Constituent Assembly should conduct its business. But having agreed to the Statement of

⁴³ See Vol. VII, Nos. 527 and 529.

⁴⁴ No. 286.

May 16, and the Constituent Assembly elected in accordance with that statement they cannot, of course, go outside the terms of what has been agreed. To do so would not be fair to other Parties who come in, and it is on the basis of that agreed procedure that His Majesty's Government have said they will accept the decisions of the Constituent Assembly."

Lord Simon's Question

"... The Cabinet Mission provided a scheme according to which a Constituent Assembly should meet, and they are entitled to say that they have obtained the agreement of the two main Parties to their scheme. When the Constituent Assembly meets, is it regarded by the Government as being quite open to them to frame a constitution which squares with the Government's framework, or have they a wider ambit than that, so that they can propose something of a different kind? I am not very clear about that, and I think it is rather important to know."

Secretary of State's Reply

"With regard to the Constituent Assembly, I think it would be quite impossible for me to give direct, specific, definite answers as to the precise position of that body, and I do not propose to try to do so. I made a carefully worded statement in the course of my opening address, and I cannot go any further than that. The object of setting up the Constituent Assembly is to give Indians the power to make their own Constitution. The only reason we intervened at all was that it was necessary to get both major Parties into the body so that there should be certain understanding between them as to the basis of a new Government."

B. Commons Debate

President of the Board of Trade's Speech

"... But, before I leave the matter of the new Constituent Assembly, I would like to mention some of the recent reports coming from India as to the alleged intentions of the parties in joining the Constituent Assembly. We saw representatives of both parties shortly before we left India, and they stated to us quite categorically that it was their intention to go into the Assembly with the object of making it work. They are, of course, at perfect liberty to advance their own views on what should or should not be the basis of a future Constitution. That is the purpose of the Constituent Assembly—to hammer out agreement from diverse opinions and plans—and likewise they can put forward their views as to how the Constituent Assembly should conduct its business. But, having agreed to the statement of 16th May on the Constituent Assembly, elected in accordance with that statement, they cannot, of course, go outside the terms of what has been agreed. That would not be fair to the

other parties who have come in, and it is on the basis of that agreed procedure that His Majesty's Government have said they will accept the decision of the Constituent Assembly."

Appendix II to No. 317

STATEMENTS BY CONGRESS LEADERS

(1) Dr. Azad, President of the Congress, at the All-India Congress Committee on the 6th July:—

"The only new feature of the Cabinet Mission's proposals to which Congress had not agreed fully was the one relating to the grouping. The Working Committee has therefore made it clear that there should be no compulsion in the matter of grouping. Provinces should be free to decide whether they wish to join a particular Group or not. We are confident that the interpretation we have put on the Grouping clause is the correct interpretation."

(2) Pandit Nehru at the same meeting:—

"So far as I can see it is not a question of our accepting any plan, long or short. It is only a question of our agreeing to go into the Constituent Assembly; that is all and nothing more than that. . . . We are not bound by a single thing except that we have decided for the moment to go into the Constituent Assembly."

(3) Sardar Patel—July 6th.

"The spokesman of Congress made it clear to the Cabinet Mission and the Viceroy that representatives of the Provinces in the Constituent Assembly should have the right to decide at the initial stage whether they would join the Group to which they had been allotted."

(4) Pandit Nehru—July 10th.

"The big probability is that there will be no grouping. Obviously Section A will decide against grouping. There is a four to one chance of the North-West Frontier Province deciding against grouping. Then Group B collapses. It is highly likely that Assam will decide against grouping with Bengal."

(5) Pandit Nehru—July 10th.

"According to the Cabinet Mission's proposals there are three or four basic subjects in the Union Centre. Obviously, Defence and Communications have a large number of industries behind them. So these industries inevitably come under the Union Government and they are likely to grow. Defence tends to expand its scope and activities more and more. . . . External Affairs inevitably include Foreign trade policy. . . . Any Central Government must

raise its finance by taxation. Obviously Customs, including tariffs and income-tax, will be included. The Central Government must be responsible for foreign market loans. . . . It also must obviously control currency and credit. There must be some overall power to intervene in a grave crisis such as a famine or a breakdown in the administration."

Appendix III to No. 317

MUSLIM LEAGUE WITHDRAWS ACCEPTANCE OF CABINET MISSION'S
PLAN

[*There follows the text of No. 86*]

Appendix IV to No. 317

DRAFT FORMULA PROPOSED TO THE VICEROY AS BASIS OF AGREEMENT
BETWEEN CONGRESS AND THE MUSLIM LEAGUE

[*There follow the terms of the formula in No. 219 as amended by No. 269.*]

The Viceroy would omit paragraph C (ii) and insert as C (i) (c) the following sub-paragraph:—

(c) the provisions of the Provincial Constitutions.

Paragraph C (iii) would be renumbered as C (ii).

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Mr Abell to Field Marshal Viscount Wavell

R/3/1/124: f 184

14 September 1946

I had a long talk with Khwaja Nazimuddin today. I spoke roughly on the lines of the brief¹ accepted by Y.E.; but he did most of the talking. At first he seemed a little uncertain of his ground and his preoccupation was then to give away as little as possible of the League case. He wanted to convince me that every Muslim was full of resentment, and that it was very difficult to hold back the Muslims from "direct action". He also put across a certain amount of stuff about the Hindu share of responsibility for the trouble in Calcutta.

When we got down to details he agreed that it might be possible to secure a satisfactory understanding about the Constituent Assembly. He did not press

the need of any further assurance about the Sections, but talked of the importance to the Muslims of knowing that the scope of the Union subjects would not be extended. I said I thought that Muslim League opinion was prepared to accept the Federal Court's decision about the scope of these subjects; he seemed to be unsure whether this was correct or not.

We then went on to the Interim Government. He said he thought that the Nationalist Muslim issue would be very difficult to settle. He tacitly admitted that to an observer at a distance the League case on this point did not look strong, but he doubted whether Mr. Jinnah would give way on it. I told him I thought it was very important that the League should not press this too far, especially as it gave Congress a first class reason for breaking off negotiations in a way that would not be discreditable to them.

He did not argue about minority representatives and did not say much about the question of major communal issues. He did however stress that it would be unthinkable for Mr. Jinnah to accept a settlement on the long-term issue without also reaching an agreement about participation in the Interim Government.

Our conversation on these points was interspersed with a good deal of talk about the seriousness of the situation. Khwaja Nazimuddin is under no misapprehension on this point. He thinks that if no agreement is reached in the negotiations about to start, the Muslims will have to resort straightaway to "direct action". I asked him whether he thought the British intended to stay here indefinitely and assist Congress in holding down the Muslims. Quite clearly he thought they would. He thought that it would be easy for the Congress to arrange things so that the Constituent Assembly took five years or more to finish its task and that the British would undoubtedly stay during that time.

The chief impression I derived from the talk was that if the new negotiations broke down it would be almost essential to make an immediate announcement about HMG's intentions in regard to their withdrawal from India. If this is not done the Muslims may start "direct action" now partly as the result of completely erroneous ideas about British intentions.

Khwaja Nazimuddin was very friendly by the end of our talk, and promised to keep in touch with me if he thought I could be of any help. He finished with quite an impassioned appeal to me to do what I could to see that the talks did not break down.²

For information.³

G. E. B. ABELL

¹ R/3/1/124: ff 160-1.

² Lord Wavell minuted against this sentence: 'It is [for] N. and his friends to see that the talks do not break down and to bring pressure to bear on Jinnah on this point.'

³ Lord Wavell minuted at the end: 'Interesting but not particularly hopeful.'

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Pandit Nehru to Field Marshal Viscount Wavell

R/3/1/124: f 182

NEW DELHI, 14 September 1946

Dear Lord Wavell,

Thank you for your letter of the 13th September.¹

I think that the meeting of the Constituent Assembly should not be made contingent on other happenings. It seems to me essential that there should be some definiteness and finality about our work. Perhaps this matter might be considered at the Cabinet meeting next Monday.

It is important that final dates should be fixed also for the meeting of the Legislative Assembly as I am told that six weeks' notice has to be issued.

With regard to para. 6 of your letter I feel that your view does not wholly fit in with the nature of the Constituent Assembly or of the present Interim Government of India. What the exact legal position may be it is for lawyers to determine, though it seems to us that there is no strict legal background for the Constituent Assembly nor are there any conventions except practice in similar cases in other countries, notably those of the British Commonwealth. Emphasis has frequently been laid on the fact that the Constituent Assembly, having come into existence, controls its own destinies entirely without any interference from outside. That is to say that even the Government of India should not interfere with it. The only questions that arise are therefore as to how it should be summoned. It would be in keeping with its autonomy for it to be summoned in a way which involves the least amount of external action. Sir B. N. Rau having considered a large number of precedents suggested two methods,² and I think either of those methods might have been suitable. I do not know how this question raises any controversial issue that affects the future of the Constituent Assembly or its decisions. It is a question of propriety and recognition of the changed circumstances now prevailing.

This question by itself may not be of very great importance but it does raise the issue of the Interim Government in the whole scheme of things. If the Interim Government of India is to be excluded from many normal activities with which in effect it is intimately connected, then it would appear that this Government is to be strictly limited in its work. This would naturally affect its approach to many problems and would also have its reactions on public opinion. You will remember that you assured us of the widest latitude in our day-to-day activities.³

Yours sincerely,

JAWAHARLAL NEHRU

¹ No. 312.

² See No. 282, para. 13.

³ Lord Wavell replied on 14 September. He suggested the two of them should discuss the matters about the Constituent Assembly after the Interim Cabinet meeting on 16 September. Wavell Papers, Political Series, June–December 1946, p. 195.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/124: ff 155–7

IMMEDIATE

NEW DELHI, 14 September 1946, 8.35 pm

TOP SECRET

Received: 15 September, 12.12 am

No. 1939–S. The following is my estimate of the difficulties ahead in negotiations when Jinnah arrives, and points on which I may require HMG's support.

2. I should propose to begin with the long-term policy and the entry of the Muslim League into the Constituent Assembly. I will enumerate the assurances already given, including Nehru's statement that the Congress agree to the Provinces entering the sections as intended in our Statement. I would then ask Jinnah what further assurances he required. Probably he will ask for an assurance in one form or another that the sections can decide their own procedure. Part of the Congress led by Nehru apparently wish to obtain a ruling on this from the Federal Court, but Jinnah may insist on assurances in advance. B. N. Rau's view is that sections may decide their own procedure and Congress may accept this if we are firm about it. I want a guarantee that HMG will, if necessary, issue a statement themselves making it clear that sections can decide their own procedure.

3. Jinnah may express his fears about the expansion of the Union subjects, but if Liaquat is a guide the League would accept decision of Federal Court on this point.

4. Question of Interim Government is likely to produce much greater difficulty and I think there is no chance of League coming to understanding about Constituent Assembly without settlement about Interim Government.

5. The issue of the Nationalist Muslim is of course a critical one. Neither side can go back on it without eating its words. While there can be no doubt about the right of the Congress to nominate a Muslim in their quota, I think it is just possible that if Jinnah can be induced to concede the principle, or anyway admit it tacitly, the Congress will not exercise their right. They would

in fact find some difficulty in displacing one of their present caste Hindus. But if they wish, as a considerable number of them certainly do, to prevent the League coming in while outwardly appearing reasonable, this is the issue which they are likely to choose.

6. Jinnah can hardly make much of an issue over the nomination of the Minority representatives. Two of them are the same as on June 16th and the third is only one Parsi substituted for another. If both parties agreed to the substitution of an Anglo-Indian for a Parsi, I could hardly object, though the Government would probably lose in efficiency.

7. The questions of the distribution of portfolios, the office of Vice-President and precedence generally may cause some difficulty, but I hope that they will not be insuperable.

8. I hope that you will do all you can to urge the Press to support a settlement, and while showing sympathy to the League to point out the advantages of cooperation. The recent leader in *The Times*¹ seems to be on the right lines.

9. My own view is that Congress may be more difficult than the League. There is no doubt that Nehru and others having tasted power do not want to share it. They can easily do something or say something that will make it impossible for Jinnah to accept and I am afraid that they are likely to do so. So I am not very hopeful though the points at issue are such as should present little difficulty to reasonable men. Though one would have thought the examples of Calcutta and Bombay would have had a sobering effect, they have in fact had little and have in many quarters simply increased communal tension. It is appalling with what irresponsibility and lightness many of them seem to regard prospect of renewed disturbances or civil war.

10. If these negotiations break down the communal situation will be even worse than before, and Nazimuddin has told Abell that in that event the Muslim League can hardly fail to start direct action soon since otherwise leaders would lose their control.

¹ Of 13 September 1946 and headed 'Mr Jinnah's part.' The leader contained the sentence. 'In the interests of the Muslim League and of the whole country, Mr Jinnah would be well advised to reflect that nothing can be lost and much may be gained by testing the adequacy of the offer which Lord Wavell and Mr Jawaharlal Nehru have made to him.'

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Note by Mr Menon¹

R/3/1/124: f 183

Points regarding procedure in Sections

(1) Congress has agreed to enter into Sections, but are unwilling to make any commitments in advance as regards procedure within the Sections. B. N. Rau definitely thinks that procedure within the Sections should be laid down by the Sections themselves and here the Muslim League majority will certainly come into play.

The safeguard for the Provinces will be that, if a Constitution unacceptable to any Province is forced on it against its will, it will be open to the Province to opt out of the Group after the first general elections.

(2) Further, the Presidents of the Sections B and C will be Muslim Leaguers. This could be secured by their majority in these Sections; the Presidents will be in a controlling position as regards the procedure.

(3) To say in advance that decisions in the Sections should be by majority is open to the following criticisms—(a) Congress will say that it is not part of the State Paper, and (b) they might take particular objection to the fact that an assurance of this kind has been given to Jinnah without their knowledge and outside the terms of the statements and correspondence and might hold that they are not bound to honour it. If we insist on a provision that all decisions in Sections B and C should be by majority, it will affect the Muslim League position were the Congress to turn round and say that they will apply their majority in the Union Constituent Assembly as regards the contents of the Union subjects and other major issues which are not of a communal nature. There are various points of view on the procedure, especially on methods of voting, and these could be put forward for the consideration of the Sections. If historical precedents are any guide, a constitution, if it is to survive, can only be made by negotiation and agreement, and Congress has realised this as a result of Rau's efforts. We must tell Jinnah the same thing.

We are certainly [on] very weak ground if we were to insist on majority vote in Sections B and C.

¹ Unsigned and undated, but Mr Abell noted on it on 14 September 'Handed me by R[eform] C[ommissioner].'

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/PEJ/10/75: f 231

MOST IMMEDIATE
TOP SECRET

INDIA OFFICE, 16 September 1946, 1.20 pm
Received: 16 September, 8.15 pm

16845. I have discussed your 1939-S¹ with Prime Minister. We feel that before we can undertake to make a statement as in last sentence of paragraph 2 we must know in full what assurances Jinnah is asking for. We will consider further when we receive report of your interview today.

2. Generally we feel that ideal is to negotiate an agreement between Congress and the League in the sort of form I have suggested to you which should, if possible, cover all the points on which doubt in regard to Statement of May 16th has caused the present deadlock. If we cannot achieve this we may have to issue a further statement but, if so, it clearly should cover the whole ground and be most carefully framed to have the best chance of securing the assent of both sides. Further points may emerge from your talks with Jinnah and we may need to know Congress attitude in regard to them before making such a statement. It may prove to be desirable to ask representatives of the League and Congress to London with yourself as projected earlier before any such statement is issued.

¹ No. 320.

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Note by Field Marshal Viscount Wavell

R/3/1/125: ff 15-18

SECRET

16 September 1946

Note of discussion with Mr Jinnah 16th September 1946

1. I began by saying that I was very sorry that events had taken the turn they had since we last met. There had been much misunderstanding, and some hard things had been said, but it was now necessary to look forward and not back. I had always been certain that an agreement about the Constituent Assembly and a representative Coalition Government were essential to the progress of India and to avoid disaster; and I had therefore asked Mr. Jinnah to come and see me, and to ascertain his difficulties and to see whether an agreement could not be reached.

2. While I agreed that there had been much to cause apprehension on the part of the Muslim League, and that some very unwise things had been said by the Congress, I could have wished that I could have been consulted before the decision was taken to reject the Statement of May 16th. It was, however, now clear that the Congress was prepared to implement the basic principle of the Statement of May 16th, i.e. the meeting of Provinces in Sections, and this should surely get over one of Mr. Jinnah's chief difficulties. Could he let me know what the other difficulties were about the Constituent Assembly?

3. Jinnah said that whatever had happened in the past would have no effect on his present decision. He said that the soul of the scheme of May 16th had been mutilated. The only good thing in it was the provision for Sections and Grouping; and the only guarantee of the scheme possibly working out was that it should be implemented with honour and good-will. Thus the League had always intended to do, but the Congress obviously had not, and it therefore became impossible for the League to continue their acceptance.

Jinnah then went over the events of last May and June, but quite quietly and without rancour, though he said he entirely disagreed with my interpretation of paragraph 8, and that he had been supported by a large body of opinion, much of which was not normally friendly to the League. He repeated however that the past would have no effect on the present; but that it had caused a great deal of ill-feeling.

He then said that Nehru's statement at Bombay,¹ and S/S's failure to give a definite reply to Simon in the House of Lords,² had finally decided the Muslim League that they could hope for no fair play in the Constituent Assembly, and had decided them to resile from their previous acceptance.

(All this took about half an hour)

4. He then said that I had made a great mistake in forming the present one-party Government; and went on to dilate on the intensity of Muslim feeling about it in all classes and every part of India.

5. I said that I appreciated all this, but that surely it would be better for the League to come into the Constituent Assembly and see how it worked. I asked again what his difficulties were, now that the meeting in Sections was generally agreed. He said that there were a lot of points which would have to be decided before he came in, but did not specify them. I suggested that he should have a talk to B. N. Rau and find out how it was proposed to work the Constituent Assembly and what were the guarantees that he required. I pointed out to him that the real guarantee was that no Majority could ride roughshod over an influential Minority if they wanted agreement, and that they must persuade them, or the arrangement simply would not work. The

¹ No. 16. ² Cf. Appendix I to No. 317.

Hindus would be in a majority in the Union Assembly, but it would be quite useless for them to force through provisions in the Union which would be unacceptable to the Muslims, because the latter would simply refuse to accept them and would walk out. Similarly, in Groups B and C, the Muslims would be the Majority but they would have to satisfy the Minorities, or they would not get a workable Constitution. Jinnah agreed, but said that in Sections B and C, the Muslims would have a bare majority, whereas in the Union and in Section A, the Hindu majority would be overwhelming. I agreed with this, but said that the principle still held good, that the Majority would have to satisfy the Minority.

Jinnah made a point of the inequalities of the present electoral system, which gave the Muslims such a very small majority in Section C. He claimed that really there should be a larger majority which was against the Congress. (This is an old story, and I refused to be drawn into argument about it.)

(This took to about 6.30 p.m.)

6. Jinnah then asked what I proposed about the Interim Government. I said that the proportion would be the same as he had already accepted on June 26th, i.e. 6:5:3. I realised the difficulties, the principal of which was perhaps the issue of a nationalist Muslim. I said that I could not possibly support him over this, as I had already made clear to him several times. I thought, however, that if he did not press the point and make a special issue of it, it was quite possible that the Congress would not insist on putting a nationalist Muslim in their quota. He asked me when [whether] I could guarantee this. I said I could give him no guarantee, but that I thought it was unlikely that the Congress would wish to remove any of their Hindu nominees in favour of a nationalist Muslim, provided that he, Jinnah, did not make an essential issue of it. I said that from his point of view it seemed to me that if the Congress did nominate a Muslim it would be an addition in strength to him, since on any issue essential to Muslims, any Muslim would support him; Jinnah said nothing on this point. I said that if negotiations broke down on this issue alone, Jinnah would be in a very weak position in world opinion generally.

I then said that in one of his statements he had said that he ought to be consulted over the Minority representatives. I could see no difficulty about this, since two of them were those whom he had already accepted on June 26th, and the third was simply the substitution of one Parsi for another. He tried to make out that this substitution was important, but I said that I certainly could not support him on a breakdown on this issue; if he could agree with Nehru to propose some other name to me, I should certainly be prepared to consider it.

7. Jinnah then said that there was no hope of his supporters agreeing to a solution on these lines, but he said it without any conviction. I said that it

would be most unfortunate if this was so, as the consequences would be serious indeed. I recommended him to think it over and to talk to B. N. Rau about the Constituent Assembly and see what were the difficulties about that. If he would then come and see me again we could talk the matter over.

(It was now about 6.45 p.m.)

8. Jinnah was quite friendly throughout, was polite, and much less discursive than he often is. In fact he was at his best, as I have known him on one or two occasions before. We have got a great deal of rough going in front of us, but this interview might certainly have been much worse.³

W.

³ Lord Wavell sent the text of this note of his interview with Mr Jinnah to Lord Pethick-Lawrence in tel. 1949-S of 16 September. R/3/1/125. ff 19-22A.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/125: f 22B

IMPORTANT
SECRET

NEW DELHI, 16 September 1946, 7 pm
Received: 17 September, 9.35 am

No. 1948-S. I discussed today with Nehru the question of convening the Constituent Assembly. He had asked that matter should be discussed in Cabinet but I refused on ground that it was not a matter for Cabinet but for me. I maintained the position that I thought it useless to convene Constituent Assembly until some understanding had been reached with Muslim League. Nehru said that he and his colleagues had discussed the matter informally and concluded that a meeting should not take place till December 9th. The rough programme would be:

December 9th to December 23rd—Meeting of Union Constituent Assembly.

January and February—Discussions in Committees, e.g., Drafting Committee, Advisory Committee, Negotiating Committee. Also meetings of Sections.

2. At end of two months Nehru hopes to have an outline scheme ready for Union Constitution, which would then be considered by whole Assembly and referred to Provinces. This looks optimistic to me.

I said I would consider whether announcement could be made about date for convening Assembly, but as my condition for convening it cannot be announced I propose to hold this up, at any rate during discussions with Jinnah.

3. Intention is to have session of Central Legislative Assembly beginning October 28th.

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Field Marshal Viscount Wavell to Sir H. Dow (Bihar) (Extract)

R/3/1/125: f 23

No. 40/6

16 September 1946

4. I have not been having the same difficulties over inducing my colleagues to accept hospitality that you are. I have had Nehru and his sister, Patel and Rajendra Prasad so far to dine with me tête-à-tête and have found them friendly and sensible. Patel who has a sense of humour expressed his regret that the more piquant records in Home Department had been removed before he arrived: he smiled when I said that it had been done on my instructions. Rajendra Prasad should do well I think in charge of Food and Agriculture.

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Sir D. Monteth to Heads of India Office Departments

L/P&J/7/4933: f 34

16 September 1946

A case occurred recently in which, owing to public interest aroused in this country, it was found necessary to ask the Government of India for an explanation of action taken as the result of orders issued by the Caretaker Government, and, as the attitude of the Interim Government in the matter was not known it was thought expedient to address the enquiry to the Viceroy in the first instance rather than to the Department concerned. In reply to a request for guidance in other similar cases that may arise the Private Secretary to the Viceroy has now replied that, unless it is clear that a reference directed to the appropriate Department of the Government of India is likely to cause embarrassment, enquiries—or for that matter consultations and “directions”—should be addressed to the Department concerned, as has hitherto been the practice. (It is obviously undesirable to overload the Viceroy’s office with correspondence that can be disposed of departmentally in India).

But it must be remembered that telegrams or letters addressed to a Department in the Government of India in future are likely to be seen by the Indian Minister in charge, and that it is H.M.G.’s declared intention to treat the Interim Government as much as possible as if it were the Government of a Dominion. In these circumstances great care must constantly be exercised in the drafting of communications to the Government of India, to ensure that the

conduct of relations between the India Office and the Government of India is in line with the policy laid down by H.M.G. It is highly important that the members of the new Government should be given no colourable pretext for lodging any complaint of failure to conform to this policy. They may indeed be on the lookout for cases in which they can allege that their status is being insufficiently respected. Nothing which constitutes or implies a direction should issue without the personal authority of the Secretary of State and anything which amounts to pressure in the direction of what may be an unwelcome course will require careful consideration on a high level. As far as possible communications should be worded in terms of consultation and diplomatic persuasion and, where appropriate, tactful advice.

Some Departments in the India Office whose correspondence is mainly with those Departments of the Government of India to which control of their actions has in practice been largely surrendered already will have experience in the technique now required; but even greater circumspection will be needed henceforth because of the past associations of the new members as compared with most Indian members of previous regimes, and because of their status as party leaders. Others, which deal with Departments the Member in charge of which has hitherto been a European, must be careful constantly to recognise the altered circumstances in which their messages will be received and handled in India.

Heads of Departments are therefore requested to exercise a closer supervision over (and to submit more freely to an Under-Secretary of State) drafts to the Government of India prepared in their Departments until the technique required has been thoroughly absorbed by all ranks authorised to approve drafts for issue.

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Mr Bevin to Lord Pethick-Lawrence

L/E/8/4870: ff 153-5

FOREIGN OFFICE, September 1946

Dear Pethick,

With reference to your letter of September 5th¹ I am sending you a copy of a letter I have recently addressed to the Prime Minister about the position of the United Kingdom High Commissioner in India.

Yours sincerely,

ERNEST BEVIN

¹ No. 260.

Enclosure to No. 327

16 September 1946

Dear Clem,

Thank you for your letter of the 9th September² about the United Kingdom High Commissioner in India.

I am afraid that when I sent my letter of the 31st August³ I was under the impression that my Department had already cleared the question with the India Office. I now see that that was not the case, but your letter suggests a misapprehension as to what I had in mind. It was not my proposal that the U.K. High Commissioner should be under me; and as to the channel of communication, I understand that the proposal when I wrote to you was that communication should be through the Cabinet Office and not through the India Office.

The question to which I would like to revert is that of direct communication between the Foreign Office and the U.K. High Commissioner. I do not for a moment contest that the constitutional responsibility rests for the present with the Secretary of State for India, but I do think it is of the utmost importance that the U.K. High Commissioner should be in a position from the very outset to have that close contact with the Foreign Office on all questions affecting the conduct of foreign affairs, and this contact can, in my view, only be achieved by direct communication between myself and the High Commissioner on these particular questions.

The relationship in the matter of foreign affairs between the Indian Government and the U.K. Government has been radically altered by the setting up of the Interim Government in India, notwithstanding the fact that the constitutional functions of the Viceroy have not yet been brought into line with these new realities by Act of Parliament. Under the new set-up, the interplay between the interests of the United Kingdom and India and of the neighbouring states is likely to be of considerable importance, and the reconciling of these interests to the greater benefit of the United Kingdom will require considerable thought and care. For this purpose, it is to my mind essential that the United Kingdom High Commissioner should be in full possession of all information available to my Department and that I should be kept informed of the attitude and actions from day to day of the Government of India as it affects my Department. I feel convinced that this must be done by direct communication between the Foreign Office and the High Commissioner if we are to avoid the delays and misunderstandings which I fear would result from a dual control.

I do not therefore think that the system which has operated up to now, whereby questions of foreign affairs have been dealt with through the India Office, will prove adequate to meet the situation we now have to face. The

fact that a standing Committee of Officials is to deal with the U.K. High Commissioner and that communication is to be through the Cabinet Office suggests that the changed position is recognised in other fields than those of foreign relations.

I should like an opportunity to discuss this aspect of the question with you and with the Secretary of State for India,⁴ for I consider it to be of the utmost importance that our future relations with India in the sphere of foreign affairs should start off on the right foot.

Yours sincerely,

ERNEST BEVIN

² No. 293. ³ No. 236.

⁴ This meeting took place on 26 September. A note of the meeting, which was enclosed in a letter dated 4 November 1946 from Mr Peck to Mr Harris, will be printed in Vol. IX

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Sir A. Clow (Bombay) to Field Marshal Viscount Wavell (Extract)

L/P&J/5/167: ff 41-3

CONFIDENTIAL

GOVERNMENT HOUSE, BOMBAY, 17 September 1946

Report No. 70

Dear Lord Wavell,

This letter covers the first half of September 1946.

2. The dominant feature of the period has been the disturbed situation in Bombay. In my letter of 5th September¹ I gave an account of the earlier stages and of the position as it appeared at my first visit. From then on the situation, though it continued to be tense underneath, was one of diminishing incidents and slowly returning confidence, until by Saturday the 14th the police hoped to be able to relax restrictions and the Area Commander suggested withdrawing troops. But on that forenoon the shooting-up by two men of a big Hindu business street with a Sten gun and a revolver put everything badly back and darkened the general outlook. A story went round that the men were Indonesians avenging the murder of a drunken Indonesian two days before. But that appears to have no foundation and the police are now combing Bombay for two Muslim deserters from the Signals who are said to have a Sten gun.

3. To deal first with the external incidents the disturbances of the fortnight fall into three phases. In the first two or three days the Muslims were usually the aggressors. This was followed by two days in which they were the main

¹ Not traced.

sufferers. Thereafter trouble was on a diminishing scale and affected both sides fairly evenly. This can be illustrated by the following statistics:—

	<i>Hindus.</i>		<i>Muslims.</i>		<i>Others.</i>		<i>Total.</i>	
	<i>Killed</i>	<i>Wounded</i>	<i>K.</i>	<i>W.</i>	<i>K.</i>	<i>W.</i>	<i>K.</i>	<i>W.</i>
1-3 Sept.	05	190	22	140	3	13	90	343
4-5 Sept.	41	144	67	126	4	6	112	276
6-14 Sept.	30	103	28	71	1	8	59	182
	136	437	117	337	8	27		

Although the police have repeatedly fired a few shots, the total casualties due to firing are only 17 killed and 102 injured. To speak of the trouble as "Bombay riots" is to convey a false impression. The main incidents which account for the great bulk of the casualties are stray stabbing assaults. These are, I understand, a regular feature of Bombay life: the Commissioner of Police tells me that a month with only a dozen of them would, in ordinary times, be a quiet month. But the normal stabbing affray is an attempt to settle a grudge: here although such affairs have not been lacking, they are for the most part attacks by Muslims or Hindus on casual passers-by of the other community. The remaining incidents consist of clashes between fairly small crowds in which missiles (there is a special partiality for soda-water bottles) are thrown about, or attempts to loot shops, or occasional attempts at arson. There has, so far, been no large-scale riot.

4. But a bigger émeute is always possible and the whole underlying situation is unhappy. There is an immense amount of communal bitterness, especially but not exclusively on the Muslim side, and very little evidence of any real desire for reconciliation among the leaders on either side. They have, reluctantly and under pressure, issued separate (not joint) appeals for peace but they have done nothing active to make these appeals effective. While there is no evidence of leaders actively fomenting trouble, responsible officers have no doubt that they could stop it, if they were really anxious to do so. A curious matter, which is being investigated, is the discovery at various railway stations of a large number of unclaimed consignments of knives of the kind used for stabbing. These have been sent from the Punjab and in some cases described as "harmonium parts".

5. On the Muslim side there is an evident desire to make political capital out of the trouble. They would like to have it regarded as the counterpart of Calcutta, and I am afraid some are disappointed that we have had, as yet, nothing comparable and that the Congress Ministry can claim that all trouble has been dealt with vigorously. The leaders (including those in Delhi) have been loudly accusing the authorities of partiality and several Muslims who have seen me have repeated the cry. But when asked for evidence, they produce practically nothing that is specific, although they have been invited to give

details. Two prominent Muslim M.L.As., with whom I had a long talk, gave me the impression of talking to a brief, and the only detailed complaint they left with me was one by a milk-merchant who had been prevented or was afraid he would be prevented, from milking his buffaloes. Chundrigar, the Provincial Muslim League President, assured me that he could easily give a dozen instances of police partiality, and I told him to send them in to the Ministry: but he has not done so. As I said in my letter of 5th September, it is not impossible that some subordinates may be more attentive to calls from the other side. And it is conceivable that in previous troubles, which had generally a Hindu origin, the Muslims felt that authority was more on their side. But I have seen no evidence of partiality and there are also Hindu complaints against the police who have, I think, been doing their best to help all in trouble. It is significant that although more Hindus have been assaulted and killed than Muslims, more Hindus than Muslims have been arrested. Kher offered to publish the casualty figures by communities and was told by a Muslim League leader that they did not want that.

6. On the other side, I have heard suggestions from neutral quarters that the Congress leaders feel that, if there is to be a proper "dust-up" with the Muslims, it had better take place while British assistance is available. Whether this feeling is widely held I do not know. But I am sure that allegations made to me by Muslims that the Ministry, after the initial Hindu casualties, wished to see the score evened up are quite untrue. The Ministry are most anxious to show that they can preserve public order and to show that all communities are as safe under a Congress Government as they ever were. The complaint of the Congress Party is indeed that the disturbances are political rather than communal, i.e. they are simply an effort to discredit the Congress party rather than a difference between Muslims and Hindus. But most people find it difficult to see much difference between the Congress party and the voice of the Hindus.

7. As regards the future, I see little hope unless a settlement is reached at Delhi. The present casualty rate may peter out and there might for a time be an absence of incidents. But the present trouble is merely a symptom of a thoroughly unsatisfactory position and without a change in that position, there are bound to be further ebullitions, which might well be worse than those we have seen. Until the Muslims feel that they are entering the new regime as partners and not as a mere minority I see little prospect of any peace and a big chance of chaos. The Congress would, I am sure, be wise to abandon the claim to speak for a section of the Muslims. The few Muslims who adhere to them will, I am confident, rapidly dissolve when, or even before, we hand over. And the Congress could show great generosity, without surrendering anything vital. Constitutional equality at the centre would not mean a surrender of half the power, for that depends on intellectual and economic strength.

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*Field Marshal Viscount Wavell to Lord Pethick-Lawrence**L/PO/10/23*

PRIVATE AND SECRET

THE VICEROY'S HOUSE, NEW DELHI,

17 September 1946

Thank you for your letter of the 5th September.¹ I am glad that you and your colleagues agree so strongly that it is necessary to secure a coalition at the Centre. I fear that conviction is not shared by the Congress and this may be the major difficulty in my way, even if I succeed in inducing Jinnah to reconsider his decision. Patel told Abell at lunch a couple of days ago that he was sure no good could come of the approach to Jinnah who was irreconcilable and impossible. He went on that if the Congress had known this approach was going to be made, they would never have accepted office. This is an extreme view, and may not be shared by all the Working Committee, but I fear that if the Congress are given a plausible excuse for breaking up the negotiations, they will use it.

2. I have sent you by telegram² an account of my preliminary interview with Jinnah on Monday evening. It went reasonably well and I think he and many of his followers would be glad of a settlement. But there is the usual difficulty of prestige and "face". The crucial point appears to be that of the Nationalist Muslim, and I was firm with Jinnah over this because I feel sure that if he raises it as an issue of principle, he will give the Congress just the handle they need for refusing to come to terms. If, on the other hand, he does not raise the issue, it is possible that the Congress will refrain from appointing a Nationalist Muslim, especially as there seems to be no one of any calibre who is prepared to serve.

3. Of the three Muslims now in the Cabinet, Ali Zaheer, the Shia, seems fairly sensible and wide awake, but I have seen little of him yet. Asaf Ali is a man of no weight, looks scared, and has always been rather a worm. . . .³ Shafaat Ahmed Khan, the third, seems to me almost a half-wit (five-eighths as a maximum). At his first interview with me, he let off a few platitudes about his portfolios, and interlarded them with the most servile flattery of myself, e.g., when I mentioned the proposal for an Art Exhibition in London, he had to say that no one had done so much as myself for Indian art since Curzon! The opinion I formed of him when he was High Commissioner in South Africa that he was no use at all was fully confirmed. It is rumoured that he has been promised the High Commissionership in Canada if the Muslims have to clear out of the Cabinet. Incidentally I put the proposal about the Art Exhibition

to the new Cabinet informally, and they welcomed the idea. The subject of Art has now been transferred to Education Department and you will hear from them soon.

4. I have received your telegram¹ in which you say that you cannot agree at present to my proposal that in the last resort His Majesty's Government should issue a statement about the Sections of the Constituent Assembly. I will see how the negotiations go, but I think I may have to press you on this point.

5. There has been a satisfactory outcome to the dispute between Wylie and his Ministry about the recruitment of I.N.A. men in the Police and the relations of the Ministry with the Inspector-General of Police. Wylie did his best to dissuade his Ministry from pressing their proposals, but in the end he had to overrule them. Pant then came to Delhi to discuss the matter with Nehru. Evidently he got little change out of Nehru since when he went back to the U.P., he told Wylie he was prepared to give way. It is I think just as well that the opportunity should have arisen in the U.P. for a successful trial of strength with the Ministry. Though Wylie will naturally do his best to avoid differences in future, one may hope that the Ministry on their side will avoid pressing proposals which clearly involve his special responsibility and which he will be unable to accept.

6. We have got a good Commission together for the Calcutta Enquiry. Spens will be assisted by Fazl Ali, the Chief Justice of Patna, who was President of the R.I.N. Enquiry, and by Somayya, a recently retired Hindu Judge of the Madras High Court. The appointment of this Commission has on the whole had a very good public reception, though the *Statesman* alleges, quite unreasonably, that the Commission will be under the influence of the Governor and the Administration, because it has been given a young Bengal I.C.S. man as Secretary and is to be accommodated for a time in the Secretariat! Congress meanwhile are telling me that all the witnesses against Suhrawardy and the Ministry are being intimidated.

7. The Mahsud bombing business is I hope settled, the Governor wires that our terms, though not the full [*sic*] of our original demands, have been accepted. Nehru has proposed to have the policy about bombing on the Frontier discussed in the Cabinet. He has no better alternative to suggest, but talks vaguely of "control by kindness" by men of their own race, leaving me to draw the inference that the brutal methods of the foreign British are the only cause of trouble. On one day the *Hindustan Times* claimed proudly that as soon as the Interim Government came into power, bombing was stopped.

¹ No. 263.

² See No. 323, note 3.

³ Personal comment omitted.

⁴ No. 322.

On the same day, *Dawn* alleged that the first act of Nehru as Foreign Secretary was to bomb the defenceless Pathans. Now that the immediate issue is settled, we may be able to postpone a discussion of the general question of policy.

8. While maintaining my objection to convening the Constituent Assembly in the absence of an agreement with the Muslim League, I have accepted a proposal to put the date provisionally at the 9th December. The opening of the Constituent Assembly has twice been postponed and I think the Congress are aware of the need of a certain amount of elbow room for the negotiation. I also think that consolidation of their power at the Centre has always been their primary objective. Patel has said so more or less openly. Nehru and his colleagues do not like my intended form of invitation which makes it clear that the Assembly is convened by me, but I am not going to give way on this point, and they seem to have decided not to press the objection.

9. The Americans were quick off the mark with their proposal to up-grade their representation here to the level of Ambassador.⁵ The Americans have a very shrewd idea of the importance of India as a market and it is perhaps significant that they have twice as many newspaper correspondents in Delhi as Britain.

[Para. 10, on the transfer of Mr Blagden to the Rangoon High Court; and para. 11, on an honour for Sir H. Knight, omitted.]

12. You asked me in your telegram No. 16174 of the 4th September⁶ to let you know by letter the nature of the difficulty I felt about passing over Verma for the office of Chief Justice at Allahabad.

I would not like to state the objection in too general terms since there might be a case in which it would be advisable even now to pass over a competent Indian Judge for a British Judge. But in present political circumstances I thought it inadvisable to do this in the U.P., where certainly the Ministry and public opinion would be strongly against the appointment of Braund in preference to Verma. It cannot be entirely disregarded that there is at the moment no Hindu Chief Justice in the whole of India. It is admitted that Verma is competent and he has long enough time to serve (about a year and a quarter). The appointment of Braund over Verma's head would have looked contrary to the whole of His Majesty's Government's policy towards India and might have raised a general prejudice against the continued employment of British Judges. I had a strong hint from Sarat Bose the other day that I should certainly appoint a Hindu to the vacancy in Calcutta.

Wylie did not consider Verma incompetent, though he thought his personality "colourless"; his main objection was the shortness of his tenure.

13. We may hear more about Kashmir and the conviction of Shaikh

Abdulla who was sentenced to three years' imprisonment. Nehru has written to me saying that the Congress cannot take this lying down. I think Kashmir would be well advised, having won their main point, to be as accommodating as possible now, but I do not know whether it is feasible to persuade them to take this line.

14. I have left till the end of this letter any mention of the growing communal tension in the country. The riots in Bombay would have attracted a very great deal of attention all over the world in ordinary times, but they have been overshadowed by the tragedy at Calcutta. Reports from almost all parts of the country are the same, and bitter articles are appearing in the Muslim press. We shall have to consider very carefully what should be done if the present negotiations with Jinnah breakdown. It is of course vital that they should not, but the difficulties are formidable, and I am not very hopeful. It is depressing how many people now talk lightly of civil war being inevitable.

⁵ See No. 302, note 9.

¹ L/PO/8/74.

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Sir D. Monteath to Mr Abell

Telegram, L/WS/1/1091: f 209

IMMEDIATE

INDIA OFFICE, 17 September 1946, 10.10 pm

No. 16975. Abell from Monteath. Please see War Department telegram of 16th September No. 4930¹ top secret repeating text of fast air mail letter No. 376 of 1st August which for reasons undiscovered was not delivered to India Office.

2. Judging by date 1st August views expressed in letter in question and repeated in telegram 4930 are views of the Caretaker Government. It is therefore obscure to us whether we should now take action with War Office as requested or not. Can you kindly advise?²

¹ L/WS/1/1091: f 214. See No. 334 for a quotation from the operative part of the telegram.

² Lord Wavell replied in tel. 1969-S of 18 September: 'Please take action with War Office as requested.' L/WS/1/1091: f 207.

331

Pandit Nehru to Field Marshal Viscount Wavell

R/3/1/81: ff 7-8

SECRET

17 YORK ROAD, NEW DELHI,

18 September 1946

Dear Lord Wavell,

Among the outgoing telegrams I saw yesterday a telegram¹ from the Governor-General, War Department, to the Secretary of State for India, London. This telegram stated that in view of the requirements of defence and the political situation in India, the British troops in India should continue to remain here to protect, inter-alia, specially European lives and property. It was stated that while the general plan of demobilisation of the Indian Army should continue, the major British units should remain in India. This meant, I take it, that the Indian troops would be demobilised while British troops remained here. This telegram was dated 16th September.

I was astonished to read this for it raised major questions of policy and a decision in regard to them had been taken without any reference to the Cabinet and just two days before the Defence Member was due to arrive here. As you are aware, we have consistently pressed for the withdrawal of the British forces from India. Our attitude in regard to this matter is well known to everybody. It must have been obvious to the War Department and to others concerned that what they were demanding from the Secretary of State was likely to be in direct opposition to our wishes. In any event, to come to any such decision without reference to the Cabinet seems to me to have been a case of grave constitutional impropriety and of discourtesy to the Cabinet and to the Defence Member. This must necessarily have far-reaching consequences both political and financial.

Soon after we took charge, you wrote to me that I should not consider myself in charge of the vacant portfolios till such time as the new Members came. I was not eager to add to my burdens as I had more than enough work to do. It was a matter of a few days only and you yourself pointed out that major issues would await the arrival of the new Members. So, while I pointed out in my letter to you that I did not appreciate in changed circumstances the continuation of the old practice to which you referred, I did not attach much importance to a gap of a few days. Our method of working, as you are fully aware, is for all of us to discuss common problems and to arrive at joint decisions for which we all are jointly responsible. There are no reserved subjects apart from those dealt with by the Political Department, and even in regard to these I have ventured to point out to you that there can be no hard and fast line.

Any decision in regard to the Political Department has its repercussions on our work. But I do not wish to refer to this aspect of the matter now. Undoubtedly the Defence Department is in charge of the Government of India as at present constituted and it cannot be separated or taken away from Cabinet control simply because the Defence Member has not arrived or is absent for a few days. Any action taken independently of the Cabinet in regard to Defence Department or any other Department will not only affect our general policy but may also upset our plans, financially or otherwise. Obviously the retention of British troops in India when they were due to leave must add to our present financial burdens and affect our budget.

It is remarkable that while the Members of the Government of India have made it clear that they desire the withdrawal of British troops from India, a request should be made on behalf of the Government of India, without the knowledge of the Cabinet, actually to retain them for a longer period. This must be based on some judgment of the situation or policy with which we are not acquainted. It is difficult for us to function in the dark and be faced with accomplished facts.

I would request you to have this matter placed before an early Cabinet meeting for full consideration. This would involve the whole question of the retention of British troops in India. This incident also makes it clear that it is essential for the Cabinet to remain in the closest touch with developments in the Defence Department and to control the policy underlying them.

Yours sincerely,

JAWAHARLAL NEHRU

¹ Tel. 4930. See also No. 334 for a quotation from the operative part of the telegram.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/WS/1/1052: f 164

IMMEDIATE

NEW DELHI, 18 September 1946, 6.15 pm

Received: 18 September, 3.55 pm

No. 1970-S. Burma Command have telegraphed that Indian troops may have to be used soon in view of present situation in Burma. You will remember that, in accordance with directive finally agreed to in your 1424 January 19th 1946,¹ Commander-in-Chief India had to be informed at the earliest possible moment if a situation developed in which Indian troops were likely to have to be used on a considerable scale.

¹ L/WS/1/1052: f 165.

Matter was raised in Cabinet by Nehru today. He feels strongly that Indian troops should not be available for use in the event of either economic or political trouble in Burma. Grateful if Governor of Burma could keep me informed of situation. General policy in regard to Indian troops abroad is likely to be brought up in Cabinet soon and already Nehru has protested at use of Indian troops in Indonesia, especially when supply of trucks for the export of Indonesian paddy is prevented.²

Repeated to Governor of Burma.³

² See No. 335.

³ Lord Pethick-Lawrence replied in tel. 17481 of 26 September. He said that Enclosure to No. 371 was being sent for Lord Wavell's information and guidance and that the Chiefs of Staff's conclusions in that document had been accepted by the Prime Minister. L/WS/1/1013.

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Field Marshal Viscount Wavell to Pandit Nehru

R/3/1/81: f 10

SECRET

THE VICEROY'S HOUSE, NEW DELHI,

No. 125/47/II

19 September 1946

Dear Pandit Nehru,

Thank you for your letter of yesterday¹ about the telegram² from War Department to the Secretary of State for India. Possibly you did not notice that this telegram related to no recent decision but merely repeated a letter of the 29th July approved when the Caretaker Government was in office. I find that by some mistake in the War Department this letter was not issued at the time, and when it was referred to in correspondence the India Office asked for a copy which was sent by telegram.

2. I take it that much that you have said in your letter would not have been said if you had realised the facts. I suggest you should ask the new Defence Member to look into the matter with the help of the Commander-in-Chief and let you know the actual position. I have no objection to discussing in Cabinet any proposals that he may wish to make, but I need hardly add that the retention of British troops in India is a matter which vitally affects my responsibility to Parliament.

3. I am sending copies of this correspondence to Sardar Baldev Singh.

Yours sincerely,

WAVELL

¹ No. 331.

² See No. 334 for a quotation from the operative part of this telegram.

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*Lord Pethick-Lawrence to Mr Lawson**L/WS/1/1091: f 205*

TOP SECRET

INDIA OFFICE, 19 September 1946

I have received a telegram¹ from the Government of India emphasizing the need for British troops in India during the present critical period. The position is explained in the following terms:—

“The Government of India have reviewed the internal defence position in India in the light of the present political situation, and though they have decided that demobilisation of the Indian Army should proceed as planned they consider that, having regard to their responsibilities for public order in the country including the protection of European lives and property, any further reduction in the strength of British troops now in India (including those on loan from 2 Division) would be most undesirable for the present. They therefore request that plans for the withdrawal of all major British Army units from India either by transfer to another Command or by disbandment should now be held in abeyance for the time being. Furthermore, arrangements should be made to maintain all major British Army units now in India at their present authorised establishments.”

2. As you and I know, it is the impartial British soldier who is needed more acutely, probably, now than at any previous time in history to support Indian troops and Indian police in the maintenance of law and order and in the suppression of disturbances in India: for the latter are on occasions of communal disturbance inevitably liable to be affected by their natural sympathies and to be to that extent less reliable. So I ask you to do all you can to keep the British troops in India at their present strength until the situation eases and to let me have your answer as soon as you conveniently can.

3. I ought to explain that owing to some delay in India in communicating with me, the above telegram represents the views of the Caretaker Government of India, not of the new Interim Government. But the Viceroy has asked me to take action on the matter nevertheless.

PETHICK-LAWRENCE

¹ Tel. 4930 of 16 September. L/WS/1/1091: f 214.

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Pandit Nehru to Lord Pethick-Lawrence

Telegram, L/PO/10/18: f 282

19 September 1946

8140. Personal from Nehru to Lord Pethick-Lawrence.

I am approaching you directly in regard to the question of rice from Indonesia. Several telegrams have already been sent to you on this subject and latest sent yesterday¹ by Food Department gives full particulars of existing situation. Food situation in India has grown critical and unless internal transport problem in Java is satisfactorily solved at once to permit greatly increased supplies consequences may be disastrous.

2. I regard military objections to supply of transport as unconvincing² and if these prevail there will be grave repercussions in India where as you know there is great sympathy with Indonesians. Political aspect of question is therefore as important as economic and it would be unfortunate in the extreme if impression were to gain currency that His Majesty's Government preferred to risk starvation in India rather than take negligible military risks involved by providing transport facilities for movement of rice.

3. The Government of India have expressed readiness to send representative or representatives to supervise use of transport by Indonesian Government and to secure any further assurances if desired from Dr. Shariat. As a last resort am myself prepared to go to Indonesia if necessary. Would earnestly request you to reverse present policy immediately.

¹ In tel. 8032 of 17 September, which may be the telegram referred to by Pandit Nehru, the G. of I, Food Dept., gave details of the low figures of cereal rations in the principal rice-eating areas. The Govt. of Madras had warned they would have to reduce further their rice content to six ounces unless supplies were received and anticipated such a reduction would cause serious trouble. L/E/8/3504 Other tels. are *ibid*.

² In tel. 307 of 9 August, Lord Killearn (Special Commissioner, S.E. Asia) had passed on to Lord Wavell the view of the Supreme Allied Commander that there was ample proof transport previously given to Indonesia to remove refugees and rice had been used as unit transport in anti-allied operations. The S.A.C. was unable to consent to the grant of further transport. *Ibid*.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/125: f 36

IMMEDIATE
CONFIDENTIAL

NEW DELHI, 19 September 1946, 3.15 pm
Received: 19 September, 4 pm

No. 1975-S. My telegram 1949-S of 16th September.¹ I have had no further interview yet with Jinnah who seems to want to go slow. He saw B. N. Rau yesterday and asked him for replies to the questions given in my next telegram. Rau could have answered most of them on the spot but Jinnah said he would like Rau to examine them at leisure. Rau found him in a conciliatory and reasonable frame of mind.

¹ See No. 323, note 3.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/125: ff 37-8

IMMEDIATE
CONFIDENTIAL

NEW DELHI, 19 September 1946, 3.30 pm
Received: 19 September, 5.10 pm

No. 1976-S. My immediately preceding telegram. Note of interview between Mr Jinnah and Sir B. N. Rau on September 18th, 1946, *Begins*. Mr Jinnah raised the following points:—

1. What will be the subjects for discussion at the preliminary meeting of the Constituent Assembly? The Cabinet Mission's Statement mentions "the general order of business" among the subjects; but what exactly does the phrase include?

2. If there is to be a Committee to draft Rules of Procedure, what will be its composition?

3. What will be the composition of the Advisory Committee mentioned in para 20 of the Cabinet Mission's Statement?

4. How will the Chairman be elected? Would it be possible to have a "rotational Chairman", e.g., a Hindu Chairman for a certain period, then a Muslim Chairman, and so on?

5. Will the Sections frame their own "general order of business" and elect their own Chairmen?

6. In view of the confusion that has arisen about the "grouping clause", would it not be possible to set out its meaning in clear and unmistakable terms?

7. Is it open to the Union Constituent Assembly to modify in any way the Group or Provincial Constitutions as settled by the Sections?

8. If the Union Constituent Assembly claims a particular matter as falling within the Union subjects and a Section claims it as falling outside those subjects, what is the machinery for deciding the dispute?

9. Is the opinion of the Federal Court on a reference under paragraph 19 (vii) of the Cabinet Mission's Statement binding on the Chairman of the Constituent Assembly?

Mr Jinnah said that these were some of the points that had occurred to himself and that there might be others; a list of these additional points would be sent to me in due course; and he would like me to examine all of them carefully.

He would also like to have a copy of any draft Rules of Procedure which we might have framed.

Although he had raised a good many points, he felt that if an Interim Government representing all parties could be formed, most of the difficulties could be left to them to resolve. I readily agreed that in that event, the work of the Constituent Assembly would be greatly simplified. *Ends.*

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Minutes by the India Office

L/PEJ/10/45: ff 50, 54

Sir D. Monteat to Lord Pethick-Lawrence

19 September 1946

Secretary of State.

Below is the draft¹ of a note by Mr. Turnbull and below it one by Sir W. Croft² commenting on the Viceroy's breakdown plan.³ Though I agree with Mr Turnbull in the main there are some alterations which I would wish to make before putting his note up to you as my own if time had permitted.

The first five paragraphs are of general application and in them I agree.

As to paragraph 7 of the note¹ I agree that if, owing to a deadlock in relation to the Constituent Assembly, or continued lack of co-operation in respect of current affairs by the Interim Government or growing administrative incapacity at the Centre or in the Provinces or both, or owing to a combination of any of these conditions, the position had become untenable, it would be necessary to get rid of the Interim Government and withdraw as soon as possible. This is in line with paragraph 2 of the note by Sir W. Croft who raises also the questions whether in the event of such immediate withdrawal it would be wise to effect it from the South Northwards as the Viceroy recommends or from the Centre outwards. I myself should have thought that even though the withdrawal is undertaken on our own initiative the latter course would be preferable just as it is so regarded in the plan for the forced evacuation of Europeans. Sir W. Croft also asks the question whether, in the situation predicated, it would be sound to leave the Indian Army, under British officers and with British Staff Headquarters, in the Provinces to be vacated.

As regards the second contingency foreseen by the Viceroy, which assumes that at any rate there is no clear evidence that the Constituent Assembly is not functioning satisfactorily and that co-operation of the Interim Government is not so difficult as to require its dismissal, I do not see why it is absolutely necessary to announce at the latest by 1st March, 1947 our intention to withdraw completely from India by the spring of 1948. I should indeed have thought that if the situation is being held, even rather uncomfortably, and the Constituent Assembly is making some progress with its task, we ought not to prejudice the outcome by what would inevitably be a most disturbing announcement, and that, as Sir W. Croft says, we ought in such circumstances to keep the administrative machine running as best we can in order to give the new regime a chance of making a decent start.

If, however, after the 1st January next the situation is that though an actual breakdown has not occurred and is not clearly in sight it is nevertheless very probable, and particularly if in that condition Provincial administration has become very much weakened, then some such announcement as is contemplated in Appendix 2 would no doubt become necessary.

I agree with both Mr. Turnbull and Sir W. Croft that the Viceroy is right in requiring that the situation should be faced and plans be made; but I think that we should probably go back to him for a clearer definition of the various contingencies he foresees.

But however that may be the final situation which he contemplates, whether it comes about sooner or later, is one that involves the most vital interests of at any rate the Far Eastern Dominions and I think that they ought to be warned

¹ Not printed. This was a draft of No. 342 and did not differ greatly from it. L/P&J/10/45: ff 51-3.

² Printed below. ³ No. 286.

⁴ Para. 7 of Mr Turnbull's note became paras. 7 and 8 of No. 342.

betimes of what is impending and consulted as to the plans to be put into operation.

One other point occurs to me as essential, whether or not any elucidation of possible contingencies is sought from the Viceroy: that is that H.M.G. should be quite clear in their own minds—and make it clear to the Viceroy—whether, whatever and whenever “breakdown” occurs, they are determined not to revise their present policy of demitting power and not to resume control for a considerable—15 or 20 year—period.

Minute by Sir W. Croft

19 September 1946

1. If the Coalition Government and the Constituent Assembly are working satisfactorily and there is a reasonable prospect of a successful issue, we shall be expected to ensure continuance of administration pending outcome, and we shall be subject to heavy and justifiable criticism if a breakdown of the administration is allowed to occur. We cannot afford to admit, twelve or eighteen months ahead, that such a situation is bound to arise, and it would be difficult to produce conclusive arguments that this is inevitable. We must, in fact, do our best to keep the administrative machine running so as to bridge over the interim period and give the new regime a chance of making a decent start.

2. But the possibility of a breakdown occurring is sufficiently great to require that plans should be approved and ready for meeting it. What we mean by a “breakdown” is not purely an administrative breakdown nor the failure of the policy set out in the Statement of May 16th in itself, but the combined effect of growing administrative weakness and of lack of cooperation in respect of current government and failure to make progress about a new Constitution; such a combination would cause the situation to get out of hand and necessitate progressive reduction of our responsibilities. Some such plan as the Viceroy recommends seems to me inevitable, and this should be accepted by H.M.G.; I am not quite sure whether Mr Turnbull’s draft endorses this view.

3. But if the view set out under 2 is accepted, certain questions remain:

- (i) Should we announce the whole programme in advance or should we only commit ourselves publicly to each step as we take it?
- (ii) Is it best to withdraw from the bottom upwards or from the centre outwards? Is it not possible that the situation in the U.P., Bihar and the C.P., will necessitate the latter, even if on other grounds we might prefer the former?

(iii) Is it a good idea to leave the Army in the vacated Provinces?

4. Subject to these questions, I would approve the Viceroy's proposals for the contingency of a breakdown being immediately upon us, preferably without disclosing our whole programme in advance. I feel much more doubt about an evacuation policy for a situation apprehended some way ahead.

W. D. C.

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Cabinet

Chiefs of Staff Committee. C.O.S. (46) 143rd Meeting, Minute 3

L/WS/1/985: f 29

20 September 1946

Previous Reference: C.O.S. (46) 137th Mtg., Min. 3¹

THE COMMITTEE gave further consideration to an appreciation of the strategic value of India to the British Commonwealth of Nations, prepared by G.H.Q.I.,² together with a letter from the India Office confirming that this appreciation had been approved by the Commander-in-Chief, India, and that he had submitted it to the Viceroy.

SIR WILLIAM DICKSON said the appreciation agreed in many respects with the conclusions arrived at in the Report³ by the Joint Planning Staff on the same subject. A summary of the Joint Planning Staff report had been submitted to the Prime Minister⁴ who had given instructions that it should be put before the Defence Committee. He thought that the appreciation prepared by G.H.Q. (India), if submitted to the Defence Committee at the same time as that of the Chiefs of Staff, would give added point to the main conclusion that the continuance of India within the British Commonwealth of Nations was essential from the aspect of imperial strategy. He suggested that this point might be made to the India Office.

There was general agreement with this view.

THE COMMITTEE:—

- (a) Took note of the appreciation prepared by G.H.Q., India.
- (b) Instructed the Secretary to inform the India Office of the views of the Chiefs of Staff at 'X' above.⁵

¹ At this Meeting, held on 10 September, it had been decided to ask the India Office to ascertain the views of Field Marshal Auchinleck on Enclosure II to No. 26. L/WS/1/985: f 38.

² Enclosure II to No. 26. ³ See No. 224, note 1.

⁴ See Annex II to No. 224.

⁵ Enclosure II to No. 26 was circulated to the Defence Committee on 25 September as Paper D.O. (46) 113. R/30/1/8: ff 78-84.

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*Pandit Nehru to Sir S. Cripps**Public Record Office. CAB 127/143*

PERSONAL

EXTERNAL AFFAIRS DEPARTMENT, NEW DELHI,

20 September 1946

My dear Stafford,

Thank you for your telegram and your letter.¹ It is good to have your good wishes for the tasks before us are tremendous. Things are certainly developing here but not always to our liking [liking] and I am afraid the future is not a rosy one. I am not referring so much to the inherent difficulties of the situation but rather to efforts being made to hamper the work of the Interim Govt. The one thing that is absolutely necessary is for a definite and more or less settled policy to be followed by us and for people to realise that we are not just caretakers for a brief period. As a matter of fact within a few days of our taking office, fresh attempts were made, without our concurrence, to reopen old issues and to go back to where we were some months ago. This is very unsettling both for us and the public. The Interim Govt can either function as a Govt or not at all. There is no middle position. I do not wish to trouble you about these matters but I thought it better to indicate to you that we are not at all happy at developments.

Yours,

JAWAHARLAL

These items are not on CAB 127/143.

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*Note by Field Marshal Viscount Wavell**R/3/1/118: ff 25-6*

SECRET

20 September 1946

Note of an Interview with Sir Sultan Ahmed, 20th September 1946

Sir S. A. came to me to tell me of the results of his conversation with Mr. Jinnah. He said that Jinnah seemed to be in a very reasonable mood and pleased with the prospects of a settlement. He said that there were 5 points to be settled with regard to his participation in the Interim Government. They were as follows:—

- (a) The nationalist Muslim. He said that Jinnah remained adamant on this,

but would probably not raise the issue if Congress did not, e.g. if Congress agreed to his taking the 5 Muslim seats in the present Government without other alterations, except by agreement.

(b) Jinnah apparently wants the Congress allotment of 6 to be described as 5 Congress seats plus a Scheduled Caste nominated by Congress; this is presumably to give the impression of parity between Congress and the League. He referred to some letter I had written on July 22nd.¹

(c) Jinnah apparently has some grievance about Bhabha's appointment; he alleges that it is a ramp, because Vallabh Patel's son is in Bhabha's employ. . . .²

I gather, however, that Jinnah would not break on this issue, but might try to arrange with Nehru for an alternative.

(d) The question of safeguards on major communal issues. Sultan Ahmed referred to the formula in the Working Committee's statement of May 24th,³ and paragraph 5 of my letter of June the 20th.⁴

(e) The question of Vice-President. There would be no difficulty about this if Jinnah did not come in himself; but his followers are pressing Jinnah to come in, and if he does Sir S. A. suggests that there might be some arrangement for Nehru and Jinnah to be vice-Presidents, presiding alternately.

2. Sir S. A. said that he had had a talk with Azad, who did not think that Congress would insist on the nationalist Muslim issue, but might let the League take over the 5 Muslim seats in the present Government.

3 Sir S. A. said that Jinnah had been pleased with his talk with Rau⁵ about the Constituent Assembly; and he thought that the League would be prepared to come in if Jinnah got satisfactory answers to the questions he had put to Rau

4. Sir S. A. ended by referring to the position of the States, and the difficulty they would find in negotiating with a one-party Government. He again suggested that I should ask Bhopal to come to Delhi as a friend of both parties. I said that I would consider this.

W.

¹ No 63. ² Comment omitted. ³ Vol. VII, Enclosure to No. 370

⁴ Vol VII, No. 573. ⁵ See No. 337.

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Lord Pethick-Lawrence to Mr Attlee

L/PEJ/10/45: ff 40-9

TOP SECRET

INDIA OFFICE, 20 September 1946

Secretary of State's Minute: Serial No. 60/46

Prime Minister.

The Viceroy's Breakdown Plan¹

1. The Viceroy is clearly right that we should have a plan to deal with a breakdown of the administration, whether it arises directly from political developments or from decay of the administration. Any such plan would require for its effective execution considerable advance planning in detail. I discuss below some of the features of his plan which I think need to be considered.

2. There already exists a military plan for the evacuation of Europeans from India. This was prepared to meet the possibility of a general uprising sponsored by Congress which might make it impossible to continue to govern India except by methods which we do not wish to adopt or have not the necessary resources to apply. We have not seen this plan but we know that its main principle is to withdraw the European population first to places where they can be protected and then to the ports. The principle is to withdraw from the centre outwards and to hold the ports and Delhi for as long as may be necessary. From an operational point of view this seems obviously the best course and the one which affords the greatest measure of safety for Europeans in such circumstances.

3. The Viceroy's plan envisages a different kind of withdrawal. It would be an act of policy done in cold blood and not under irresistible pressure. In paragraphs 1-11 of his memorandum the Viceroy gives cogent administrative reasons why, in his view, it is likely to be necessary to do this within 18 months or two years even if trouble arising from political causes does not force it upon us earlier. Since he holds that for administrative reasons we must complete withdrawal within 18 months or two years in any case, the Viceroy contemplates using the threat of withdrawal as a means of bringing the Indian parties to a more realistic and reasonable point of view.

4. The Viceroy makes the main assumption that H.M.G. will prefer to withdraw from India without a constitutional settlement rather than decide upon a complete reversal of policy for a period of at least 10-15 years. All the evidence supports the view of the Viceroy that the strength and prestige of

the administration has fallen so low that it would not be possible in the face of the political opposition of Congress to ensure the loyalty of Indian Government servants and soldiers unless they were assured of British protection for a substantial period of time. Nor would it now be possible to recruit Europeans of the right type in sufficient numbers unless at least that period of service were assured to them. To govern India on anything approaching modern or efficient standards would require a considerable new European element in the Services.

5. The *consequences* of a withdrawal of the kind the Viceroy envisages are of course grave. These are:—

(a) The prospect of a peaceful and orderly transfer of power to a properly constituted and generally accepted Indian system of government would disappear unless an Interim Coalition Government based on both parties had been formed and the Constituent Assembly were working smoothly. In all probability India would fall into a state of internal discord and confusion, certainly for some years and quite possibly for a long period. The Left Wing elements would be likely to get out of hand and to inflame communal differences in order to reap advantage at the expense of the wealthy classes in the resulting chaos

(b) There would therefore be no effective authority with whom we could negotiate the transfer of existing obligations, such as the continuing obligations to the present and past members of the Services, existing Government contracts, and public debt; and the United Kingdom would very likely have to assume some at any rate of these obligations. Except for small amounts the public debt is internal only and we are of course in a position to set off any liability which might fall upon us against our sterling debt to India so far as they arose outside India.

(c) Hope of India participating as an effective element in the Commonwealth defence system by a negotiated Treaty would be greatly weakened. The Chiefs of Staff have expressed the considered opinion that the co-operation of India is essential to the Commonwealth defence scheme and is especially necessary for the maintenance of our strategic position in the Middle East. They have also said that the co-operation of India would be worthless unless India is internally stable and not torn by communal dissensions.

(d) The loss of India would greatly weaken the general position and prestige of the British Commonwealth in the world. Our ability to support and assist Australia and New Zealand in time of need and to maintain our position in Burma, Malaya and the Far East generally would be substantially weakened. The injury in this respect would obviously be much greater if we evacuated India in circumstances which showed that we were doing so because we were unable to maintain control and had failed to secure a constitutional

settlement. For these reasons it seems clearly essential that the Dominions should be consulted on the general question of withdrawal from India in such circumstances. Australia and New Zealand are clearly very directly affected.

6. I now turn to the Viceroy's plan which envisages two main possibilities:—

(a) A "breakdown" arising between now and January, 1947.

(b) No overt breakdown but an announcement to be made at latest by March, 1947, of our intention to withdraw from four Provinces within four months of the date of the announcement and to complete withdrawal from the whole of India by the Summer of 1948.

(b) is clearly a more contentious proposition than (a) which I take first.

7. The Viceroy says (paragraph 10, page 4, of his memorandum) that "a breakdown before the 1st January may be due either to political reasons or to conditions in the country having deteriorated so much as to make an immediate announcement and immediate change of Government necessary". The political reasons might, I take it, be either that we have to part company with the Congress because they behave unreasonably about the Constituent Assembly or about the States, or otherwise fail to observe the Gentleman's Agreement in respect of the interim period, or because they refuse to make a reasonable compromise to bring in the Muslims; or it might be that the Muslims reasonably or unreasonably refuse to co-operate and revolt against Congress rule. By the deterioration of internal conditions I take the Viceroy to mean widespread local disturbance arising from inefficient or unfair administration by Provincial Governments which Governors become powerless to control, leading to such a disreputable state of affairs that we cannot remain responsible for it. The Viceroy therefore proposes that in either of these cases the Interim Government would have to be dismissed as a first step. This would be likely to lead to Section 93 in the Provinces. But, if not, Provincial Governments which were a source of the trouble might also have to be dismissed. This would be accompanied by the declaration of our intention to withdraw from the whole of India within 18 months and from four Provinces of Southern India immediately. The Viceroy seems to hope (vide paragraph 11) that this announcement would induce a saner outlook by the communal leaders and might bring about the agreement which was lacking. It might, of course, have this effect but it might equally have the effect of hardening the major communities in a militant attitude. The announcement that we were going might lead the Muslims to try to put themselves in a state of defence in the Pakistan areas. Moreover, although the administration of the Provinces not affected could be strengthened with additional officers from those that are, our control in them would be greatly shaken by the announcement of our impending departure because Indian Government servants would naturally wish to ingratiate themselves with the future authority.

8. The Viceroy proposes to retain British control in Bihar and the United Provinces which are likely to present the most difficult problem. It is there that our control is in the most imminent danger of collapse and in earlier plans they have been scheduled, for this reason, as among the first to be vacated. The reason for the Viceroy's proposal seems to be his desire to keep the Central administration intact for a period during which there would be a chance of a communal settlement: for unless the United Provinces and Bihar are retained the Central Government would not have control of the main North India communication system and could hardly wield any effective authority. But a disadvantage is that by evacuating Madras and Bombay, two of the best ports from which to evacuate are handed over to Congress control and the second and third phases of withdrawal have to be achieved from Calcutta, which is likely to be very disturbed, and Karachi which is very difficult of access especially in the hot weather. It may be worth asking the Viceroy whether the proposal to withdraw in the order he suggests is based on political considerations or whether it is considered satisfactory from the practical point of view.

9. The Viceroy contemplates that the Indian Army will remain under the Central Caretaker Government and the Commander-in-Chief and will not be evacuated from the four Provinces from which we withdraw. It is proposed to leave their European officers with the Indian Army. The four evacuated Provinces will, however, be virtually autonomous unless by agreement they recognise the authority of the Caretaker Government which seems unlikely. The Commander-in-Chief suggests that Indian units left in the evacuated Provinces will be anxious to get home to their own units and are likely to desert, vide paragraph 8 (c) of his note. It is difficult to see how the Central authorities would be able to issue pay or ensure supply to the Indian Army units left in South India and it is questionable whether the European officers would be prepared to remain with them or could fairly be pressed to do so. This point seems to me a definite weakness in the proposals.

10. A further point is what the position would be vis-à-vis Parliament under such a plan. Presumably it would not be announced and could not be implemented without Parliamentary approval since the administration rests on an Act of Parliament. We should have to ascertain whether an Act would be necessary to authorise a withdrawal of the kind contemplated but in any case I take it that a debate on such a step would be unavoidable. The position would be that the Governor-General and the Governors were divesting themselves of duties laid upon them by the Government of India Act and I think it probable that H.M.G. would require statutory authority to permit them to do so.

11. I now turn to the alternative plan which does not postulate a breakdown.

Under this head the Viceroy seems to envisage that either we achieve a settlement between the League and the Congress which enables an Interim Coalition Government to be formed and the Constituent Assembly to start work with all-party co-operation, or that we fail to do so in circumstances which justify retaining the existing Interim Government, i.e. that the Muslim League are unreasonable. The Viceroy says (paragraph 17) that an announcement of the programme of phased withdrawal will still be necessary on the 1st January, 1947, *unless* there is clear evidence that the Constituent Assembly is functioning satisfactorily and that an agreed constitution is likely to emerge within a reasonable time, when the announcement might be deferred and the position reconsidered. The form of it will depend on circumstances but he considers that at latest it must be made by March 1st, 1947. No doubt this date may have to be somewhat postponed now that the Constituent Assembly will not meet before 9th December.

12. I should hesitate myself to say that in such circumstances the administration would not be strong enough to carry on for more than 15 months and I am not very clear what advantage the Viceroy expects to reap from announcing the intention to commence evacuation soon and to complete it by the second quarter of 1948. It seems very unlikely that the Constituent Assembly will complete its work in less than 2 years. An announcement of this would greatly weaken the negotiating power of the States, would destroy the assurance, which may not be worth a great deal, that H.M.G. will only implement the outcome of the Constituent Assembly if it is satisfied that due provision has been made for the protection of minorities, and it would weaken our bargaining power, such as it is, in respect of a Treaty. If a Coalition Government is formed there will, of course, be an uneasy period during which it will be liable to break down through differences of opinion on major or even minor matters, but if we get through that period there should be good hope of it lasting until the constitution is framed. If there is not a Coalition and Muslim co-operation the situation would amount to a breakdown unless, of course, the Muslims had been so unreasonable that we were justified in throwing them over. I therefore feel that the Viceroy is premature in asking for a decision for a phased withdrawal in such circumstances. I should have thought it more probable that we should succeed in holding the situation for up to two years though it might revert into a breakdown situation through failure of the Constituent Assembly to arrive at a solution or disruption of the Coalition Government. But in either of those events I should suppose that H.M.G. would be more prepared to consider a complete reversal of their policy for a substantial period and would at any rate wish to consider this possibility in the light of the circumstances. The technical preparations for the plan would be much the same as for the breakdown plan and it does not seem necessary to

arrive at a decision now as to when or precisely in what form it should be implemented.²

PETHICK-LAWRENCE

Copies to: The President of the Board of Trade
The First Lord of the Admiralty.

² No reply was sent to this Minute. It was discussed at a Meeting on 23 September, see No. 354.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/WS/1/1052. ff 149-50

PERSONAL

INDIA OFFICE, 20 September 1946, 12 noon

No. 17088. Your telegram 18th September 1970-S.¹ I quite agree that the action of Burma Command referred to in your paragraph 1 was in accordance with the directive approved in my telegram 19th January 1424.

2. I am not clear as to what Nehru has in mind when he contends that Indian troops should not be used in the event of economic or political trouble in Burma. It may be that we are committed not to use Indian troops to suppress a rebellion against Government authority declared and organised by any political party in Burma. I would agree that Indian troops should not be used for the suppression of a movement directed to the attainment of a political purpose so long as it is free from indiscriminate violence and I would agree also that Indian troops should not be used forcibly to suppress strikes. But I would see no objection to the use of troops of any nationality which were available on the spot in the task of protecting the lives and property of the community against massacre, looting and sabotage by a riotous mob or even by mutinous soldiery or police.

3. I trust that in any further discussion with Nehru you will be able to convince him of the validity of these considerations and get him to agree to discretion being left to the Governor to use the forces available for the protection of lives and property.

Repeated to Governor of Burma.

¹ No. 332.

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Lord Pethick-Lawrence to Pandit Nehru

Telegram, L/PO/10/18: f 282

INDIA OFFICE, 20 September 1946

17103. Personal from Secretary of State for Pandit Nehru.

Your telegram 8140.¹ I am giving most careful consideration to what you say, and matter will be re-examined with utmost desire to help. Earliest possible reply will be sent to Food Department telegram and I can assure you that whatever decision may be, it will only be reached after fullest account has been taken of all political, economic and military considerations involved.

¹ No. 335.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/PEJ/10/75: ff 213-14

IMMEDIATE

CONFIDENTIAL

INDIA OFFICE, 20 September 1946, 8.10 pm

Received: 21 September, 7.40 am

No. 17141. Your 1976-S¹ and preceding telegrams.

2. I am very glad your first interview with Jinnah² went so well and congratulate you on handling him so skilfully.

3. His interview with Rau suggests that he is thinking constructively and in considerable detail. But I feel sure you will have taken steps to ensure that Rau does not reply to Jinnah's questions in any way which might be construed as committing us, at this stage. Procedure of Constituent Assembly is a matter for itself, and while we may encourage Jinnah to reach understanding on points of procedure with Congress, we should avoid giving him anything that he could claim to regard as an assurance from us. Should it not be made clear to him that Rau speaks rather as adviser designate of Constituent Assembly than as representing yourself or the Mission or H.M.G. and that his views are at most suggestions and in no sense decisions? In any case I foresee grave danger that if Rau's reply is given in writing it will ultimately become public and may provoke serious controversy and misunderstanding.

¹ No. 337.

² See No. 323.

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*Lord Pethick-Lawrence to Field Marshal Viscount Wavell**L/PO/10/23*

PRIVATE AND SECRET

INDIA OFFICE, 20 September 1946

Received: 24 September

Many thanks for your letter of 10th September¹ which I have just received. I am particularly interested by your account of the way in which you are handling your new colleagues which, if I may say so, seems to be very well suited to the circumstances and will, I hope, have the success it deserves. For instance, I had already noticed with agreement your reference in a telegram to a meeting of your "Cabmet" and a statement in the press that you were no longer maintaining direct and regular touch with the Secretaries of the Departments. The making of liberal concessions in all matters of nomenclature or procedure, where no vital principle is concerned or where it is in any case inevitable, will, I hope, make it possible for you to keep your colleagues straight on essentials. I will certainly do my best at this end to co-operate by endeavouring to treat, and to get my colleagues to treat, the Interim Government as a Dominion Government to the greatest possible extent. One recent small case in point was the correspondence about the U.K. High Commissioner; I quite agree that this was a matter on which a direct formal communication to your Government was very necessary.² We will do our best here to bear in mind the changed circumstances and to keep as much correspondence as possible in the proper official channel. There may be minor procedural difficulties to begin with (our telegraphic correspondence about lorries³ and coal for Indonesia is an example) but so far we have had little embarrassment and I hope the machine will continue to work smoothly. From what I have written above you will not I am sure get the impression that I am not aware of the many serious differences which have to be faced in the future. But these are the more likely to be solved if the personal approach is on right lines.

2. I have been preoccupied in the last few days with Burma, which has given us all the gravest anxiety. Rance is faced with an extremely ugly situation

¹ No. 302.

² In tel. 1934-S of 17 September, Lord Wavell suggested to Lord Pethick-Lawrence that as an Indian Member was now in charge of the portfolio of Commonwealth Relations, which was to act as channel of communication between the High Commissioner and the G. of I., it was desirable that H.M.G. should send some official intimation about the institution of the post of U.K. High Commissioner and the appointment of Mr Shone. In tel. 16894 of 17 September the S. of S. sent the G. of I., Commonwealth Relations Dept., such intimation. L/PO/10/26.

³ See Nos. 335 and 344.

but he is keeping his head and his reports to me are both sane and lucid. We had an emergency meeting of Ministers yesterday morning and sent him a telegram of guidance on general policy issues. He is quite clear in his mind, and no doubt he is right, that whereas there is a substantial economic basis for the present discontent, the real crux of our problem is a deliberate attempt by A.F.P.F.L. to organise a general strike for the attainment of their political aims, namely, the complete capture of the machinery of government. The origin of the economic grievance is really the shortage of commodity goods which has resulted in a great increase in prices. The Treasury are naturally most anxious to avoid throwing money away in a vain attempt to keep cost of living allowances perpetually chasing the increased cost of living in an inflationary spiral but we have given Rance a free hand, subject only to the concurrence of his financial adviser, to deal with the strikers' demands. As regards the political side of the business, while we clearly cannot hand power over to an organisation such as A.F.P.F.L., which, after all, has no electoral mandate, we have authorised Rance to go as far as he reasonably can in an attempt to get them into his Government. The situation, however, is an extremely critical one; we are already up against the threat of a general strike and if this occurs we may get something like an open rebellion. What reinforcements would be necessary to deal with such a situation is under active consideration by the Chiefs of Staff, but as you yourself know very well, troops are all too thin on the ground in your part of the world. We are telegraphing to you about the use of Indian troops now in Burma whose rice supplies to India will be threatened if civil conflict eventuates.

3. It seems clear that a good deal of the trouble in Burma is the direct result of the concessions we have made to political opinion in India, and Burmese leaders keep on demanding the same terms for Burma as we have given to India. It is of course easy to demonstrate that the conditions in India and Burma are very far from similar and that until the elections have been held no leader in Burma can claim to be a duly accredited party leader. But in present circumstances, the most logical argument is of very little use.

4. One very serious aspect of the Burma problem is that raised in your telegram No. 1970-S⁴ about the use of Indian troops, to which I replied last night.⁵ This particular problem is, of course, a far more difficult and delicate one even than the demand for withdrawal of Indian troops from the Middle East; but we have realised all along that we shall be faced sooner or later with a problem of this nature, though it is doubly unfortunate that this critical situation in Burma should have arisen so soon after your Interim Government came into office.

5. I sent you a private telegram (No. 135 of 9th September)⁶ to let you know

that the Cabinet had approved⁷ the paper entitled "Conduct of Foreign Affairs affecting India with an Interim Government in Office" which I submitted jointly with the Foreign Secretary on the 30th August.⁸ Weightman gave us invaluable help in drafting this when he was at home last month, and the paper went to Cabinet in a form not very different from that which the draft had reached when he left. I expect that you will have seen the copy of that draft which he took back with him so that I need not describe in any detail the proposals which the Cabinet accepted on 4th September.

You will remember that we proposed that the control by His Majesty's Government which we should hope to get the Interim Government to accept in foreign affairs should be restricted to the minimum necessary to secure His Majesty's Government's treaty obligations with Foreign Powers generally and to safeguard our relations with Foreign Powers (e.g., the Dutch in regard to Indonesia) and our essential strategic needs in the Indian Ocean Basin. Even that measure of control would, of course, have to be kept very much in the background and we should normally rely, in correspondence on external matters with the Government of India, on attempting to persuade the Interim Government either through yourself or by instructions sent to the U.K. High Commissioner, to fall into line with U.K. policy if they showed a disposition to take a divergent view. Our hope of course is that such occasions for special intervention would be rare, and that the Government of India would keep in step with His Majesty's Government through the medium of ordinary departmental correspondence.

The immediate action on which the Cabinet decided was to make arrangements for eventual separate U.K. and Indian representation in Afghanistan and Nepal. This will of course involve an additional burden on the Exchequer and I am reluctant to press the Chancellor to undertake this before we have to. We shall, however, now want to take over and maintain the Persian Gulf Residency and its subordinate Agencies and will be making proposals to the Government of India for the transfer to direct U.K. control of these posts. We shall also be reviewing with the Foreign Office the existing British Consular posts in Persia (including Bushire) in the expectation that India will no longer contribute to expenditure of this kind but will establish her own Consular posts at places where there are substantial Indian communities or trading interests.

6. You mention in paragraph 13 of your letter the Americans' desire to put their representation at Delhi and yours at Washington, on the ambassadorial level at once. The Foreign Office do not seem to be unduly disturbed about this and I am making the necessary submission to the King. It seems all to the good, particularly in view of the Russophile tendencies of some of your

⁴ No 332.⁵ No. 343.⁶ L/P&S/12/4631.⁷ No. 251.⁸ No. 228.

colleagues, that they should maintain close touch with the American Government.

7. I was not at all surprised to get your telegram⁹ about Nehru's desire to make a direct approach to Molotov about wheat for India. Here again the Foreign Office take a very sensible, indeed quite a detached, line and I doubt if we shall take any exception to this direct approach. It will be interesting to see if anything comes of it; if it *should* come to the point of the Government of India being represented at Moscow and the Soviet Government at Delhi, I imagine your Government are likely to find before long—as so many other Governments have found—that traffic with Moscow tends to be one way only!

8. I agree with you that these recurring political crises in Sind are difficult to deal with; however they seem so far to be reasonably well in hand. The latest conundrum, *viz.*, whether the four Ministers could probably [properly] be reappointed while the Legislature is dissolved, is as puzzling to us as to you, but I have sent you¹⁰ such advice as I could get and I hope that this particular corner will have been turned by now.

9. I am delighted to hear about your *tête-à-tête* dinner with Patel. I remember while I was in India that of all the Congress people it was his straightforward approach that enabled you and him to have satisfactory talks in spite of your differences.

⁹ Tel. 1916-S of 12 September. Lord Wavell said that Pandit Nehru intended to raise the matter in the Interim Cabinet on 16 September. Pandit Nehru had explained that: 'it would be a friendly approach, though necessarily confined to food and it would not commit us in any way in regard to other matters.' L/P&S/12/4045.

¹⁰ Tel. 17014 of 18 September. L/P&S/18/648: f 47.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/125: f 42

IMPORTANT
SECRET

NEW DELHI, 21 September 1946, 5.30 pm
Received: 21 September, 8.55 pm

No. 1992-S. Your 17141 of 20th September.¹ Rau says he has fully covered your point in discussions with Jinnah. No written communication has been sent yet but if one is sent, the letter will make it perfectly clear that procedure of Constituent Assembly is a matter for itself and that Rau's opinions do not commit anyone.

¹ No. 345.

348

*Mr Jinnah to Sir B. N. Rau**R/3/1/125: f 47*

10 AURANGZEB ROAD, NEW DELHI, 21 September 1946

Dear Sir B. N. Rau,

I am in receipt of your letter¹ of September 18, '46 and some of the points which I mentioned in the course of my interview with you on September 18, 1946. The résumé of our discussion sent by you is correct except No: 2, to which add: "and how will such a Committee be chosen?" and No: 3, to which add: "and how this Committee will be chosen?" The only other point which strikes me at the moment is marked 10 in the copy which I am sending you herewith.²

Of course these are some of the important points that strike me for the moment, but you must not take it that this is an exhaustive list. It is very difficult to anticipate, when nearly 400 people will meet in the Constituent Assembly, as to how such an Assembly will proceed and conduct itself with regard to the main points which will arise.

I am sending you a clean copy of the points with these alterations and addition.

Yours sincerely,

M. A. JINNAH

¹ Sir B. N. Rau had evidently sent Mr Jinnah a résumé of their discussion which was similar to that given in No. 337.

² This point was as follows. '10. In the event of any resolution passed, or decision taken by a majority in the Union Constituent Assembly, which varies the provisions of paragraph 15 of the Cabinet Mission's Statement, who will decide the question whether it amounts to a variation or not?' R/3/1/125: f 49.

349

*Pandit Nehru to Field Marshal Viscount Wavell**Wavell Papers. Official Correspondence: India, January 1946-March 1947, pp. 156-7*

21 September 1946

I have had occasion to mention to you several times that the developments in Sind were disturbing in many ways. For several years past Sind has been a black spot in the Indian political horizon and its Government has become associated in the public mind with nepotism, incompetence and corruption. Its chief function appears to be to keep itself in office even though it might

not perform the normal functions of government at all. About six weeks ago the Assembly was suddenly adjourned by the Speaker, at the instance of the Governor, although notice of a vote of no-confidence was given and was on the agenda. This raised, as it was bound to do, a public outburst against this Government, the Speaker and the Governor, for it was clearly abuse of the constitutional process in order to keep the Government going although it had no majority in the house. It was recognised by you that the proceedings had been improper and pressure was brought to bear on the authorities concerned to convene a meeting of the Assembly soon to consider the motion of no-confidence. The excuse of the month of Ramzan was brought forward to postpone the Assembly session although such sessions have often been held during that month.

At last the session was held and a curious series of happenings took place unparalleled in Indian constitutional history. Every effort was made to avoid a vote and ultimately the Assembly was prorogued by the Governor. It was quite clear before this happened that the majority lay with the opposition. The Governor, however, paid no heed to this and appointed Sir Ghulam Husain Hidayatullah and another colleague of his to carry on the work till the next elections were held. Today's newspapers contain the report that all the four Ministers, who had previously resigned, have been reappointed. Thus we go back to the previous stage in a more aggravated form and a minority Ministry has been imposed on Sind by the Governor on the eve of the elections.

I do not wish to enter into any argument about this matter, but I do wish to say that the behaviour of the Sind Ministry and the Governor amounts to a racket and a public scandal, and I am astonished that all this should have the support of higher authorities. This is setting a very bad example to the rest of India and my colleagues and I take the strongest exception to it. I should be grateful to you if you will convey our views on the subject to His Majesty's Government.

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Sir B. N. Rau to Mr Jinnah

R/3/1/125: ff 52-60

CONFIDENTIAL

No. CA/10/Cons/46.

Dear Mr. Jinnah,

I send you herewith answers to the questions which you put to me at our recent discussions.¹ Needless to say, they embody only my own personal views and cannot bind anyone else.

22 September 1946

As regards rules of procedure, my office has prepared a tentative draft; but it needs continuous revision in the light of new material and is not yet in a form which can be regarded as satisfactory. If you are content with this imperfect draft, I shall be glad to send you a copy. In any event, it is meant to be no more than a working basis for the Committee on procedure; and it will not be placed before the Committee unless the Committee themselves ask for it.

Here my function as Constitutional Adviser ends. But you were good enough to mention to me, in some detail, more pressing problems connected with the Interim Government and to say, at one stage, that you valued my opinion. I shall therefore take the liberty of saying a few words on the subject.

Let me begin on a personal note. Almost the whole of my official life in the districts of Bengal and Assam was spent in predominantly Muslim areas at a time when the communal problem was hardly known. Chandpur, which figured in the papers recently as the scene of loot and arson and communal frenzy was my first Sub-division in Bengal nearly 35 years ago; Sylhet, another recent storm-centre, was my last district in Assam. I have the pleasantest recollections of both places, where I spent nearly nine years of my early official life. My views on present-day politics are inevitably coloured by these memories of happier days and by the hope that some way may be found of bringing them back.

The problems which confront us today are problems which concern Hindus and Muslims alike. In foreign affairs—whether in Indonesia, or in South Africa, or in the Middle East, or on the North-West Frontier—there is no cleavage between Nehru's views and those of the Muslim League. In the domestic sphere, our main problems are first, putting an end to the fratricidal strife which is now going on in Bengal, Bombay, and elsewhere and in which the principal sufferers are Muslims no less than Hindus; secondly, procuring adequate supplies of food to stave off famine, which, again, would affect both communities; and thirdly—and ultimately, perhaps, the most important of all—planning in all its vast ramifications, including large power and irrigation projects, for the purpose of raising the standard of living of "the common and forgotten man". In none of these matters is there likely to be any divergence of interest or policy between Hindu and Muslim; and between them they would provide a fruitful field for co-operation now and for at least a decade to come. My own view—for what it is worth—is that the League should come into the Government to work as a united team with the Congress and the minorities for the accomplishment of these common tasks.

How team-work is to be secured is best settled by direct contact between the two organizations. To suggest this in the present atmosphere of suspicion and bitterness may seem a counsel of perfection; but I recall certain words of a

¹ See No. 337.

great English statesman addressing his Unionist colleagues on the eve of the Irish settlement twenty-five years ago:²

"Now and again in the affairs of men, there comes a moment when courage is safer than prudence, when some great act of faith touching the hearts of men and stirring their emotions achieves a miracle that no art of statesmanship can compass. Such a moment may be passing before our eyes now as we meet."

To come back to the Constituent Assembly. A Constitution is only a means to an end; when by working together as a team, the various parties realise that the ends are common, there will be little difficulty in agreeing upon the means.

Yours sincerely,
B. N. RAU

Enclosure to No. 350

Question 1.—

The subjects for discussion at the preliminary meeting, so far as they can be foreseen at present, will be—

- (1) the election of a Chairman and a Vice-Chairman or Vice-Chairmen;
- (2) the election of a Committee to draft rules of procedure (such a Committee was set up by the Philadelphia Convention);
- (3) the election of a "Steering Committee" to prepare the resolutions to be brought before the Constituent Assembly (such a Committee was set up by the Quebec Convention);
- (4) the election of a Finance and Establishment Committee;
- (5) the appointment of an Advisory Committee on the rights of citizens, minorities, and tribal and excluded areas under para 20 of the Cabinet Mission's Statement of May 16, 1946;
- (6) the appointment of a "Corresponding Committee" to negotiate with the Negotiating Committee of the Indian States; and
- (7) discussion of such of the reports of the above committees as are ready. (The report of the Advisory Committee on the rights of citizens, etc., will not be ready for discussion during the preliminary session.)

The phrase "general order of business" is indefinite, but will cover the subjects mentioned above. There may, of course, be other subjects which this phrase would include but which are not enumerated in the above list.

Question 2.—

Whether there should be a Committee on rules of procedure and, if so, what should be its composition and how its members should be chosen are all

matters for the decision of the Constituent Assembly. At the Philadelphia Convention, which framed the Constitution of the U.S.A., there was a Committee of three consisting of a delegate from Virginia, a delegate from New York, and a delegate from South Carolina. The Committee was appointed on the 25th May, 1787, and its report was considered on the 28th May. At the Quebec Conference, there does not appear to have been any special committee on rules of procedure. Certain rules of procedure were proposed and accepted at a meeting of the Conference itself on the first and second days of the session. At the Adelaide session of the Australian Convention also, there does not seem to have been any such special committee: the standing orders and the practice of the South Australian House of Assembly were proposed for adoption at a meeting of the whole Convention and accepted on the second day of the session. At the South African Convention also, there does not appear to have been any special committee for rules of procedure.

Whatever may be the composition of this or any other committee that may be appointed by the Constituent Assembly, there is no reason to think that minorities will not be given fair representation.

Question 3.—

The Advisory Committee will have multifarious functions to discharge and will very probably have to split up into sub-committees, one on the rights of citizens, one on the protection of minorities, one on the administration of excluded and partially excluded areas, and one on tribal areas. The Committee will, therefore, have to be a comparatively large one and may consist of about 40 members (including co-opted members), who need not all be members of the Constituent Assembly. They will doubtless include—

- (a) a certain number of Hindus from Provinces in British India where the Muslims are in a majority;
- (b) a certain number of Muslims from Provinces in British India where the Hindus are in a majority;
- (c) a certain number of Sikhs from the Punjab and the N.W.F.P.;
- (d) a certain number of members of the Scheduled Castes;
- (e) a certain number of Indian Christians;
- (f) at least 1 Anglo-Indian; and
- (g) at least 1 Parsi.

The Committee will probably have to be given power to co-opt additional members, particularly for the tribal areas. It need hardly be repeated that the

² The quotation is from the peroration to Mr Austen Chamberlain's speech, as leader, to the Unionist Party Conference at Liverpool on 17 November 1921. Mr Chamberlain was countering 'die-hard' criticisms of the Coalition Cabinet's conduct of the Anglo-Irish negotiations which culminated in the Treaty signed on 6 December 1921.

precise composition and mode of election of the Committee will be matters for the Constituent Assembly to determine.

Question 4.—

The mode of election of the Chairman will have to be decided by the Constituent Assembly itself, with the Provisional Chairman presiding. If the Constituent Assembly so decides, there can be a rotational Chairman. In the Constitutional Conventions of the U.S.A., Canada, Australia, and South Africa, there was no rotational Chairman: the same person was Chairman throughout the Convention. At International Conferences, there has been a practice of making the office rotate, e.g., at the San Francisco Conference and, more recently, at the Peace Conference in Paris. Which plan is to be adopted for the Chairmanship of the Constituent Assembly will be for the Assembly itself to decide.

Question 5.—

The Sections will elect their own Chairmen and, broadly speaking, it will be open to them to frame their own general order of business. But it is possible that the Union Constituent Assembly may, by agreement between the major communities, prescribe certain rules of procedure not only for itself but also for the Sections. For example, the Muslims being in a minority in the Union Constituent Assembly and the non-Muslims being in a minority in Sections B and C, it is conceivable that by agreement in the Union Constituent Assembly a particular mode of voting or a particular mode of electing the Chairman may be prescribed both for the Union and for the Sections. If this happens, the rule so prescribed will be binding on the Sections as well.

Question 6.—

The confusion regarding the grouping clause has been removed by paragraph 3 of the Viceroy's letter to Maulana Abul Kalam Azad dated June 15, 1946,³ and that position has now been accepted by the Congress and the acceptance has been emphasised by the Hon'ble Pandit Jawaharlal Nehru in his broadcast of September 7, 1946.⁴ Any further explanation might start a fresh dispute as to the meaning of the explanation.

Question 7.—

Broadly speaking, the answer is in the negative, provided the Group and Provincial Constitutions confine themselves to their legitimate sphere.

Question 8.—

The dispute mentioned in this question relates to the interpretation of that part of paragraph 15 of the Cabinet Mission's Statement of May 16, 1946, which defines the Union subjects. It will be one of the duties of the Constituent

Assembly, when framing rules of procedure, to provide machinery for the decision of disputes regarding the interpretation of any part of this document. Several alternatives are possible: these have been mentioned in Part VII of the pamphlet on "Points of Procedure".

Question 9.—

The opinion of the Federal Court has not, in express terms, been made binding on the Chairman of the Constituent Assembly. In practice, however, the Chairman will find it impossible to depart from the Court's advice, just as, in practice, the Governor-General does not depart from the Court's advisory opinions given under section 213 of the Government of India Act, 1935.

Question 10.—⁵

The same machinery that has been suggested in the answer to Question 8 above may be utilised for deciding disputes of the kind mentioned in the present Question also. If the alleged conflict (with paragraph 15 of the Cabinet Mission's Statement) is discovered after the resolution has been passed or the decision has been taken, the matter will have to be brought back before the Constituent Assembly for reconsideration. The rules of procedure will have to provide for such a contingency. From this point of view, the suggestion made in Part I of the pamphlet on "Points of Procedure", namely, that the Constitution should be framed in two or more stages with a sufficient interval for criticism of the first draft, acquires additional importance.

¹ Vol VII, No. 541.

⁴ See No. 275, note 3

⁵ See No. 348, note 2.

351

Field Marshal Viscount Wavell to Pandit Nehru

Wavell Papers. Official Correspondence: India, January 1946–March 1947, p. 157

No. 1322–G.G.

22 September 1946

Thank you for your letter about Sind.¹ I do not deny that Sind politics are often unedifying, but the recent action taken by the Governor has had my approval. The new elections will be held as soon as possible and for the brief period until results are known, the Premier must be given the team he requires to carry on the administration.

I will send your letter to the Secretary of State.

¹ No. 349.

352

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, Wavell Papers. Political Series, June–December 1946, pp. 204–5

IMPORTANT

22 September 1946

SECRET

No. 1997–S. Your letter of September 6th.¹ Are you sure that it is necessary for the purposes of your Departments or the High Commissioner that we should attempt to define the types of cases in which I might have to overrule my Cabinet? I doubt the necessity myself and would much prefer to avoid even a secret classification. I am sure it is better to leave the matter fluid.

2. The fact for instance that “the discharge of the ultimate obligation to maintain peace and order” was on your list would not of itself help a department to decide that correspondence on a particular case should be with me. Nor, since the list could not be exhaustive, would the absence of a subject from the list prove that it was useless to propose that I should overrule my Cabinet in regard to it.

3. Generally correspondence should be direct with departments but if in any case either (a) this might cause embarrassment, or (b) it might be necessary for me to use my special powers, you could address me direct. In category (b) a separate telegram to me drawing my attention to the correspondence with the department would usually be the best means of bringing me in.

4. There have been signs here of a possible move to get all correspondence between His Majesty’s Government and the Government of India routed through the two High Commissioners. This is clearly impossible at present but may I see before final approval the proposed instructions to the High Commissioner on this point? I do not think these need include any classification of subjects on lines proposed in your letter.

5. I am sure that in your speech in the Lords you should avoid saying anything more about the status of the Interim Government than was said in my letter of the 30th May to Azad.² Even examples should be avoided. For the League the fact that we did not go further than that letter was an essential assurance which may be the basis of their joining Interim Government. For the Congress the fact that we went so far was the assurance which brought them in. To attempt to enlarge on this theme is, I am certain, full of danger.

¹ No. 271.

² Vol. VII, No. 409.

353

Pandit Nehru to Field Marshal Viscount Wavell

Wavell Papers. Official Correspondence: India, January 1946–March 1947, pp. 157–8

23 September 1946

I have read your letter of the 22nd September¹ about Sind with deep regret. If what I consider a racket and a public scandal has your approval, then it is obvious that our standards and sense of values differ considerably. It would also appear that our objectives are different. To me it is obvious that in the present set up of the Sind Government, with the present Governor and Premier and Ministers, it is difficult to conceive of a free and fair election. When there is no freedom or fairness even in regard to Assembly meetings and the Governor tries his utmost to support and encourage a minority and a discredited Ministry, then this process is likely to be continued in an intensive and aggravated form during the elections.

It is becoming increasingly clear that the policies and objectives pursued by the Governor-General and the Governor-General in Council are in conflict. The Interim Government may not be directly and legally responsible for certain matters which are at present in the domain of the Governor-General. But it is inevitably influenced by what happens. As you have yourself pointed out, a strictly legal view often does not fit in with practical aspects of affairs, especially during a period of swift transition. The Interim Government is placed in a difficulty when the Governor-General pursues policies which are in conflict with the policies and objectives of that Government.

The matter is of importance and likely to have far-reaching consequences. I trust that His Majesty's Government will be kept fully informed of our views in regard to it.

I am sorry I cannot see you this afternoon as I am participating in a meeting of the All-India Congress Committee then.

¹ No. 351

354

Record of Meeting held at 10 Downing Street on 23 September 1946 at 10.30 am

L/P&J/10/45: ff 21-4

TOP SECRET

Present The Prime Minister
 The President of the Board of Trade
 The Secretary of State for India
 The First Lord of the Admiralty
 Sir David Monteath
 Sir William Croft
 Mr F. F. Turnbull

There was general agreement that an announcement of the kind the Viceroy advocated could not be made as early as the 1st January.¹

The First Lord said that he felt strongly that the Government should stand by the policy of remaining in India until a constitution had been made to which we could hand over power. To leave India before that would be regarded as an act of weakness and would seriously undermine our position in the international field. He thought that the administration in India might be strengthened by recruiting additional European personnel on the basis that they would be guaranteed 15 years' service either in India, or in the Colonial or Foreign Service, and would be absorbed into those services if they were not required in India.

The Prime Minister said that he saw a number of strong objections to the Viceroy's proposals. In the first place, they totally disregarded the position of Parliament. The Government could not relieve themselves of responsibility for the Government of India without legislation. Secondly, if we were withdrawing from India he could not see any merit in spreading the process over a period of 18 months. Thirdly, under the Viceroy's proposals the Caretaker Central Government would be left in a state of incompetence.

Sir Stafford Cripps said that the moment our withdrawal was announced everyone in India would start scrambling for position. He could understand the need for a military plan for the withdrawal of Europeans if there were a breakdown. The Viceroy's was a political plan and seemed to him to invite disaster. Civil war would come upon us at once. If Mr Jinnah was so unreasonable that he would not come into the Constituent Assembly Sir Stafford Cripps thought that we should proceed without the Muslim League.

The First Lord thought that Jinnah's interview with Sir B. N. Rau indicated that the position was more hopeful.² He thought that we should go on pressing

for agreement between the Muslim League and the Congress and if necessary get their representatives here for discussions. In the meantime he would like to press on with the recruitment of Europeans on a 15 year basis. He thought that Nehru might agree to this if he were talked to in the right way.

The Secretary of State said that the Viceroy's trouble was that he thought the administration was going to break down. New European recruits would not be much good for three or four years, and he did not think that the First Lord's suggestion was feasible. The Viceroy saw the European standard of administration disappearing and an oriental standard taking its place. Such deterioration was inevitable, but if the constitution was in process of being made he thought that the Provinces would get along all right. The Viceroy, however, envisaged that progress would not be made with the constitution. The Secretary of State thought that the Viceroy's proposal would make an administrative breakdown a certainty.

The Prime Minister said that the Viceroy's plan involved clearing out of Madras and Bombay thus abandoning two of the best places from which to withdraw Europeans and leaving us with the most difficult part of India. The immediate result would be an attempt to set up Pakistan which would cause civil war. He saw no advantage in setting up a caretaker Government when you already had a political Government supported by at least 8 Provinces to which you could hand over. Sir Stafford Cripps added that the Army would probably split and that the proposal to keep Indian Army units in the evacuated Provinces seemed impracticable. The Prime Minister said that at the back of the Viceroy's mind seemed to be the apprehension that he would receive advice from his Government which he did not like to accept. Therefore he wanted a plan for withdrawal when that situation arose in an acute form. In fact, however, the transfer of authority must be a process and not a sudden act. The traditional method for such an evolution was to modify the Instruments of Instructions.

The meeting then considered the question of the Constituent Assembly.¹ The Secretary of State said that Nehru had now said that the Congress agreed to go into the Sections.² Jinnah had raised a large number of questions of procedure of which the most important one was how the Sections would decide whether or not there should be a Group. The intention of the Mission was that the decision should be by majority vote. The Congress would not agree to that and thought that the decision should be by general agreement as between the Provinces concerned. Sir Stafford Cripps agreed that the intention of the Mission was that Sections were to decide by majority and Nehru was prepared to leave the interpretation of the Statement on this point to the Federal Court. The Secretary of State said that Congress were trying to get a unitary India and destroy the grouping provisions. Sir Stafford Cripps said that Congress had always adopted

¹ See Nos. 286 and 342.

² See Nos. 336 and 337.

³ See No. 317.

⁴ See No. 275, note 3.

the line that the Muslims could not be compelled to come into an all-India constitution. The Secretary of State said that the main issue raised by the Viceroy was whether he should convene the Constituent Assembly or not.⁵ The Viceroy's view was that it should not be convened unless the Muslim League were ready to come into it. The Prime Minister observed that in such circumstances the logical thing was to give independence to the Hindu Provinces. Sir Stafford Cripps said that if the Muslim League would not come in by December 9th we should go on with the Constituent Assembly without them. If this led to disturbances from the Muslims, this must be faced and dealt with. The Secretary of State thought that the threat of Muslim direct action was a serious one. The Prime Minister thought that the first question was whether a decision not to summon the Constituent Assembly without Muslim participation would lead to the Congress withdrawing co-operation. It was agreed that the next step was to get Nehru and Jinnah here for consultation if negotiations failed in India. The first step was to draft a reply to the Viceroy's memorandum putting to him the points raised in the discussion.

The Secretary of State said that the Viceroy had recently asked for a guarantee that, if necessary, H.M.G. would state publicly that the Sections were to decide their own procedure.⁶ Sir Stafford Cripps thought that interpretation by the Federal Court ought to be acceptable to both sides. But we could not have both the Federal Court and H.M.G. interpreting the document. If, in fact, the Court said that the document meant something different to what we had intended he thought their interpretation must be accepted. The Secretary of State said that what the Congress appeared to be aiming at was to prevent Groups being formed and to enlarge the Mission's conception of a limited Union. The First Lord said that he did not like the reference by Nehru to a Drafting Committee being set up by the first meeting of the Constituent Assembly to work simultaneously with the Section meetings. The Prime Minister said that the Viceroy should be told what to do about calling the Constituent Assembly. He thought that the right thing was to go ahead with it even if the Muslim League did not come in, Provinces having the right to opt out of the constitution when made. The First Lord sympathised with the Viceroy's point of view but said that we had undertaken, if one party would not co-operate, to go ahead with the other. The Secretary of State thought that we must go ahead with the Constituent Assembly but that we must do everything possible first to secure Muslim co-operation by negotiation. Direct action by the Muslims would be a serious matter. He asked what the meeting thought of the suggested form of agreement between the Congress and the Muslim League which provided that a majority of Provincial representatives should be required for decisions on the Provincial constitutions, except in so far as they were necessary corollaries of the Group constitution. There was some discussion as to whether this proposal could be put to the party leaders informally, but it was felt that this could not

be done without the Viceroy's agreement and that in any case for us to propose, however indirectly, an alteration to the Statement, ran the risk of reopening the whole negotiations. It was therefore agreed that this proposition should not be pursued.

⁵ See No. 324.

⁶ See No. 320.

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Field Marshal Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/125: f 61

IMMEDIATE

SECRET

NEW DELHI, 23 September 1946, 4.30 pm

Received: 23 September, 3.25 pm

No. 2001-S. I understand Jinnah does not want to resume negotiations until AICC meetings today and tomorrow are finished. In particular Muslim League wish to ascertain what reply is made by Congress High Command to the objections that are likely to be raised in AICC by Assam to Nehru's recent statement¹ that the Provinces must enter the Sections.

2. General attitude of press is that there is fair chance of a coalition but I see no good ground for optimism because there is no evidence that the Congress would be willing to make it easy for Jinnah to climb down.

3. Rau has sent a good reply² to Jinnah's ten points about the Constituent Assembly and I have sent copy to you by air mail bag. The points do not look very formidable, if we were dealing with reasonable men.

¹ See No. 275, note 3.

² No. 350.

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Government of India, External Affairs Department to Indian High Commissioner, London

Telegram, L/P&S/12/4045: f 24

IMMEDIATE

NEW DELHI, 23 September 1946, 5 pm

Received in India Office: 23 September, 2.45 pm

8247. Following from Nehru.

Please convey to Krishna Menon, India League, London who arrives London tomorrow by air from India following message. Begins. Should like you to

contact Molotov, Soviet Minister for Foreign Affairs immediately in Paris regarding supply of foodgrains to India. Convey following message from me.

2. *Message begins.* In view of grave food situation in India and impending famine in many parts of the country we would earnestly appeal to you and your Government to help us by sending food grains to India if this is possible. We have already asked Soviet Trade Commissioner in India to communicate our request to your Government and he informs us that he has done so. Our need is urgent and we would be grateful for this help from a friendly people who are our neighbours and our people would appreciate it greatly. *Message ends.* This message also sent to Soviet Foreign Office through British Embassy, Moscow. Please inform me of steps taken by you and possibility of response to our appeal. *Ends.*

3. Text of above message has also been telegraphed to British Embassy Moscow for transmission to M. Molotov through Soviet Ministry of Foreign Affairs.

Repeated to Secretary of State for India.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/P&S/12/4045: f 20

IMMEDIATE

23 September 1946

PRIVATE

2002—S. Nehru will probably telegraph to you to-day a proposal that Krishna Menon, the Congress propagandist, should visit certain European countries as "personal representative of Vice-President of Interim Government" to make contacts and report on possibilities of development of India's relations. The Government of India are to pay the bill and H.M.G. will be asked to provide facilities.¹ I think this is a most ill-advised and ill-timed proposal. I have told Nehru I dislike it and that it will do little credit to Interim Government or Congress and have said that I think representatives, when sent, should be officially accredited and given official briefs. I considered getting case taken in Cabinet but see no use in discussing the disagreement before my colleagues who presumably support Nehru. I am advised that I cannot constitutionally overrule my Cabinet on this issue. Menon has been asked by Nehru to deliver the personal message about food to Molotov, and he is on the way home now.²

2. I must leave you to discuss this with Foreign Office and consider what action should be taken.³ I am sure that if any diplomatic facilities are given, effect on Moslem League here will be very bad. I have told Nehru that since

foreign affairs are one of proposed Union subjects, we should not take an important step of this kind so long as there is a prospect of a Coalition Government of the two main parties.

¹ No telegram to this effect has been traced on the relevant files

² See No. 356. ³ See No. 378.

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Lord Pethick-Lawrence to Sir S. Cripps

L/P&J/10/72: f 25

INDIA OFFICE, 23 September 1946

I understand that Sudhir Ghosh has received a suggestion from his friends in India that the time has come when he might go back home. He has asked whether he could come along and take my advice on the matter. I feel myself very strongly that the time has come when he should go. He has been useful in many ways but now that the Interim Government is functioning there is little need for his services as a go-between, and as his own people want him back I am sure we should not stand in his way.

Moreover, the telegrams and telephone messages which he sends to India mentioning both your name and mine are liable to cause considerable embarrassment, the details of which I can explain to you when we meet.

I hope, therefore, that you will agree to my taking the line with Sudhir that he can now go home and that I can give this to him as advice both from you and from myself—accompanied, of course, with our thanks for the way in which he has done his best to help.

I hope to see him on Wednesday.¹

[PETHICK-LAWRENCE]

¹ Mr Harris noted: 'S/S informed that P[resident of the] B[oard of] T[rade] had already seen Ghosh before receiving S/S's letter and had taken line suggested by S/S.'

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Field Marshal Viscount Wavell to Pandit Nehru

Wavell Papers. Official Correspondence: India, January 1946–March 1947, p. 158

No. 1320

24 September 1946

I have received your letter of the 23rd September about Sind.¹ Your letter is strongly expressed and you imply that our objectives are different. My objective

¹ No. 353.

is to make possible the framing by Indians of an agreed constitution giving protection to all, and the peaceful transfer of power at the earliest possible moment thereafter. I am sure that your objective and that of the other members of the Interim Government is the same.

I have also to administer the existing constitution to the best of my ability "without fear or favour, affection or ill-will", in the words of the oath.

Whether my judgment in a particular matter is right or wrong is another question. But the present constitution does not bring the control of the Governors within the ambit of the Governor-General in Council; and when a Provincial election is in the offing and one of the major parties is not represented in the Interim Government the importance of maintaining the constitutional position is as clear as it can ever be.

I shall certainly support the Governor in doing everything in his power to secure free elections. The Sind Ministry have already issued instructions to district magistrates enjoining them to keep the peace and see that Government servants remain neutral; and I expect you have seen the Premier's statement on the subject which appeared in the Press on the 22nd September.

I am sending copies of this correspondence to the Secretary of State.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Wavell Papers. Political Series, June-December 1946, pp. 209-14

TOP SECRET

24 September 1946

I enclose a copy of an appreciation by the Director of the Intelligence Bureau. I hope it will make an impression on the Home Member, who is much too inclined to be complacent about the prospect of civil war.

You notice the conclusion in paragraph 9 that His Majesty's Government may have to declare their policy at a very early date. As you know, I agree with this and though one cannot be sure now what the position will be when our present negotiations come to their crisis, my view is that if a breakdown is certain I should come home at once for consultation. I would say to the parties that I cannot accept a failure of the negotiations and that I must fly home for personal consultation with His Majesty's Government. This may possibly induce the parties to think once more, and may prevent an immediate explosion.

While I was at home, His Majesty's Government would have to make up their minds about the breakdown and decide on an immediate announcement which would restore the initiative to us. If we allow the Muslims to enter on direct action without making it clear that we have *not* made an alliance with the

Congress against the League and do not propose to hold British forces available for internal security duties for more than a very short time, we shall be accepting a very heavy responsibility. Nor do I think it is fair to the Congress to leave our intentions in doubt. That is to say, if His Majesty's Government is yet clear on its intentions.

Enclosure to No. 360

TOP SECRET

23 September 1946

INTELLIGENCE BUREAU (HOME DEPARTMENT)

Secretary has asked me for an appreciation of possible moves in the Muslim League field and of the consequences that might flow from them. In attempting this I necessarily base it on the assumption that Mr. Jinnah's talks with His Excellency the Viceroy have once again ended in failure to achieve agreement. An appreciation would otherwise be unnecessary.

2. Mr. Jinnah would appear to have before him the choice of three alternatives; first, to resile with such grace as he can muster from the precipice of civil war, secondly, to stall for time in which to improve his organisation, and, thirdly, to take a plunge into direct action.

3. The reasons that might prompt him to flinch from the third alternative are:—

(a) Fear or dislike of the bloodshed and butchery and, it may be, the chaos which will result.

(b) The hesitancy of some of his immediate subordinates, not all of whom are men of action or wholly irresponsible.

(c) The proof afforded by the Calcutta carnage that it is the poor, including the Muslim poor, who suffer most from the savagery and from the aftermath of disorder.

(d) The realisation that his weapon is double-edged and that slaughter in East Bengal, West Punjab and in Sind of Hindus must be counterpoised by the slaughter of Muslims in other parts of India.

(e) The narrowness, if we exclude for the moment the basic irreconcilability of the one-nation and two-nation theories, of the present disagreement between Congress and the League.

(f) The recognition, through the lesson of Calcutta, that mutual murder need not ultimately and necessarily result in a strengthening of the League, but may instead prompt the thought of coalition among men of sober or sobered mind.

(g) The danger, ever present in the Punjab, of a competent riposte to League disorder from the turbulent Sikh minority.

4. On the other hand, the reasons which may prompt Mr. Jinnah to elect to fight are as strong, if not stronger. They include:—

(a) the matter of his personal pride and prestige which are heavily involved and which, if lowered, must weaken the League and invite defection;

(b) the thought that for the enforcement of a political principle so vital to the Muslims, bloodshed and butchery may well be a cheap price to pay;

(c) the inability to resist the impetus of a movement which he himself has so skilfully fostered and which is gathering powerful force from Muslim resentment and from religious incitement by Muslim Pirs;

(d) his confident reliance on the readiness of the vast bulk of Muslims in Government service, inclusive of the police and the army, to abandon service at his behest or to assist direct action in other ways;

(e) the pressure of some of his more hot-headed immediate subordinates, particularly Mamdot and Daultana;

(f) his probable reliance on the support of Muslims in tribal territory who could without much difficulty be induced to join in a *jihad* which promises the excitements of an incursion into North-Western India and of looting; and

(g) his possible hopes of support of the League from a section of the Scheduled Castes.

5. In brief, Mr. Jinnah may be tempted by the knowledge of his possession of a very strong weapon which, though double-edged, can inflict deep wounds on his opponent. If he feels that the threat of its use is unavailing, he may well employ its reality. It is strange to think that, in the present century, the settlement of a dispute can be contemplated through the arbitrament, not merely of civil war, but of an insane butchery which spares neither women nor children. Nevertheless, the ghastly reality is there and it is beyond doubt that "*jihad*" is still an emotion of the Muslim mind and that relatively few Muslims will be found to resist its call, or to resist the pressure which sustains it. If, therefore, Mr. Jinnah does decide to plunge, the consequences will be of the gravest. The League has proclaimed its intention to keep "direct action" on the non-violent plane of non-co-operation and, until it announces its plans, it would perhaps be unwise to exclude absolutely its ability to do so; but, in the ordinary run of things, violence must result and must probably take on at least something of the character of a *jihad*.

6. The possibility continues that Mr. Jinnah may take the middle course of stalling for time. What may incline him in this direction is the very dreadfulness of any decision to fight and also the need to discipline and improve his organisation for his purposes. There has been some talk of his going to England to place his case more directly before the British Cabinet and to canvass the support of British public opinion. If he does stall, there is some remote prospect of a lowering of the temperature of present Muslim agitation and of dissidence

within the League. But it is far more likely that steps will be taken to maintain the intensity of the movement even while he is out of India.

7. If we are to envisage the worst, as for the purposes of this appreciation we must, it becomes of importance to attempt to forecast the possible lines, both initial and as they develop, of direct action. So far, it would appear that nothing definite has been decided upon, but such indications as we have point to the use of some or all of the following methods:—

- (a) Non-payment of land revenue and taxes, most probably in Muslim Majority areas and in strong minority areas of the type of Bombay City.
- (b) Defiance of prohibitory orders.
- (c) Boycott of Central and Provincial Assemblies.
- (d) Picketing in one form or another.
- (e) Boycott of British goods.
- (f) Use of the existence of Provincial League Governments to divorce connection with the Centre.
- (g) Sabotage, the collection of arms and ammunition and acts of terrorism.

Not all of these methods must necessarily result in an immediate outbreak of violence, but most of them would and their sum total must provoke this effect. In this lies the weakness and perhaps the spuriousness of the League's protestations of non-violence. It must also be recognised clearly that any attempt by the Provincial Governments or the Centre to suppress this allegedly non-violent "direct action" must inevitably precipitate a physical decision, particularly in the Muslim-majority areas. An indefinite avoidance of suppressive action must equally induce, even though it postpones, ultimate disorder.

8. If such a situation develops, the police would almost certainly require the strong support of troops from the outset. If the police and the troops stand firmly to their task, the situation, though very grave, would not, I think, be uncontrollable, although we might reasonably expect a repetition of Calcutta or worse in several areas. If we are extremely fortunate, these outbreaks of massacre may produce their own reaction towards a peaceful adjustment. In Provinces under League Governments the position would not be so healthy, if I can so misapply this adjective. The risk that Muslim troops and Muslim police functioning in Muslim-majority areas would break and even join the League in active disorder is very great. But, in respect of troops, my opinion cannot have the weight of that of D.M.I.

9. If Muslim police and Muslim troops abandon their functions and join in the general disorder, then an entirely different situation supervenes which becomes, or may be the prelude to, civil war. The fact that the forces behind the League would not have the support of British officers, of a General Staff

which is almost wholly British and of certain ancillary units, must tend to reduce their endeavour from formal operational warfare to the tactics of a guerilla army. If the forces behind the Central Government also lacked this support, they would suffer from an equal handicap. It is not for me to venture an opinion on the likely policy of His Majesty's Government in this context or on the resulting position militarily. But it is clear that developments in India may compel His Majesty's Government, and possibly at an early date, to state its policy.

10. Unless my appreciation up to this point has been unsound, it is not impossible that the Central Government may be faced with the need for a decision whether or not to attempt to use troops against the League in the knowledge that this might involve the disintegration of the Indian Army. The alternative of leaving the individual Hindu, Sikh or Muslim to defend himself by his individual prowess in the hope that, after bloodshed, sanity may return to men's minds, is horrific. Government may have in mind the use of economic or other sanctions against revolting areas coupled with the suppression of trouble by force in Provinces where Muslim resistance is relatively weak. If so, it is desirable that the matter of such possible sanctions should be examined. It is for consideration, also, whether troops (not necessarily British) should not now be so disposed in areas where the gravest trouble is anticipated, as to afford the most effective insurance against an outbreak and the strongest means of dealing with it. A move of troops may precipitate conflict by giving ground for it. But, if at any time trouble appears inevitable, it might be wiser to be forearmed than politic. But I am trespassing on ground which is not my own.

11. On the assumption that Muslim police and Muslim troops do not break under the religious urge of a *jihad*, measures to deal with "direct action" would probably follow very generally the lines adopted by past Governments in dealing with Congress mass action. I have not had opportunity or time to examine any Provincial text-book of such action but from my recollection the methods adopted would include:—

(a) declaration of branches of the League as unlawful associations under the Criminal Law Amendment Act. It has to be remembered that, as the law now stands, the provisions of the Act are administered by Provincial Governments and not by the Centre;

(b) arrest of Mr. Jinnah and members of the League Working Committee;

(c) arrest of other League leaders of Provincial importance;

(d) prohibition of meetings and processions. Such prohibition will be pointless unless the meetings and processions are actually broken up. Also, past experience has clearly shown that, if decisive action has to be taken, it should be taken at the earliest possible moment, before contempt for law and order feeds on its own immunity;

(e) suppression of the Muslim Press in so far as it advocates the cause of "direct action";

(f) confiscation and sale of property attached by reason of the non-payment of rent or land revenue;

(g) heavy extension of jail accommodation and heavy increase of jail staff; and

(h) heavy increase in the number of police. Recruitment might not be easy in Muslim-majority areas.

12. It is for the Central Government to decide whether it will face up to the dangers of executing these measures and the risk that, in executing them, the uncontrollable situation of civil war may develop through the excitement of the Muslim servants of Government. The point has to be taken clearly that the past history of mass movements affords no accurate analogy with the present. The Governments of that time could rely on their own machinery of troops and army. This is not absolutely the case now. The appalling awkwardness of decision lies with Mr. Jinnah; but with him also rests the initiative. If he flinches, well and good; and there is some ground to hope for this. But, if not, Government are confronted with a most dangerous situation.

N. P. A. SMITH

Director

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Lord Pethick-Lawrence to Mr Attlee

L/P&J/10/75: ff 201-3

TOP SECRET

INDIA OFFICE, 24 September 1946

Secretary of State's Minute: Serial No. 62/46

Prime Minister

I shall send you very shortly a draft reply to the Viceroy's proposals¹ for a Breakdown Plan, which we discussed at the meeting on Monday morning.² I propose that this should be by letter. The matter is extremely secret and not of the first urgency.

2. I attach, for your approval, a draft telegram³ to the Viceroy on the position of the Constituent Assembly.

3. The draft does not go so far as was contemplated at the meeting. It was then agreed that the Viceroy should be told that we must if necessary proceed

¹ No. 286.

² No. 354.

³ This was the same as No. 362.

with the Constituent Assembly without the Muslim League. The draft confines itself to a statement that the Viceroy is not to commit himself to the position that the Constituent Assembly will not be convened until the Muslim League have been brought in.

4. My reasons for this modification are as follows:— we are sending to the Viceroy a reply which will be very unpalatable to him on the subject of his breakdown plan. He has expressed the view that it would be better to part company with the Congress than go ahead with the Constituent Assembly without the Muslim League and in a way contrary to the Mission's intentions (para. 7 of Viceroy's telegram 1889-S of 9th September*); and a decision to the contrary conveyed simultaneously with our decisions on his breakdown plan might precipitate a crisis in our relations with him. Moreover it is not necessary *at this stage* to tell the Viceroy more than is covered by this draft. It may be that he will succeed, or that we shall succeed subsequently in London, in securing Muslim League cooperation. A premature statement to the Viceroy of what we shall do if we do not succeed might therefore cause a fundamental difference with him before the situation on which we differ arises.

5. I have sent a copy of this Minute and enclosures to the President of the Board of Trade and the First Lord of the Admiralty.⁵

PETHICK-LAWRENCE

⁴ No. 291.

⁵ On 25 September Mr Attlee sent Lord Pethick-Lawrence a minute informing him that he approved the draft telegram to Lord Wavell. L/P&J/10/75: f 200.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&J/10/75: ff 198-9

IMMEDIATE
TOP SECRET

INDIA OFFICE, 25 September 1946, 3.50 pm
Received: 25 September, 10 pm

No. 17341. I have discussed with Prime Minister and colleagues general position as regards Constituent Assembly. We are, of course, in agreement with you as to the importance of getting Muslim League into both Constituent Assembly and Interim Government and greatly appreciate efforts you are making in this direction.

2. We do, however, see considerable objections to a statement being made by H.M.G. to the effect that Sections can decide their own procedure. It is clear from Jinnah's list of points in your 1976-S¹ that if we make a statement on one

point he may ask for a statement on others in his list and we shall be led a considerable distance on the road of laying down in detail procedure of Constituent Assembly. We might well be pressed for modifications by the Congress and possibly the Sikhs.

3. Nehru's acceptance of meeting in Sections seems to us to be an important modification of Congress position as contained in earlier statements of Congress leaders which naturally alarmed Jinnah. We appreciate that point still remains as to how Sections shall decide whether there is to be a Group or not. If both parties were to agree upon it we ourselves should see no reason to object to Statement being referred as proposed² by Congress to Federal Court for interpretation, but we recognise that in view of paragraphs No. 15 (iii) and 15 (v) of the Statement it is possible that Congress interpretation might be upheld and that consequently Jinnah is unlikely to agree to this. We still hope, therefore, that you may be able to secure a settlement on disputed points of procedure, by negotiation between Jinnah and Congress.

4. If you do not succeed in this, the only remaining way to try to get agreement is to revert to the proposal to invite Nehru and Jinnah to London for a conference with yourself and us. In this event I think that Nehru should be sounded first on this before approaching Jinnah. Meanwhile we regard it as essential that you should not commit yourself to the position that Constituent Assembly will not be convened unless Muslim League are ready to come in.

¹ No 337. ² 'as proposed' omitted in decipher.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/PO/10/23

PRIVATE AND SECRET

THE VICEROY'S HOUSE, NEW DELHI,
25 September 1946

Thank you for your letter of the 13th September.¹ I was sorry to hear that you had not yet been able to reach agreement about compensation for the Services. I have telegraphed to you recently² about the question whether there should be less compensation for those who continue in service under Indian Governments. I am sure it is not practicable to make a distinction; though I think that Indian members of the Services will almost certainly have to forgo their compensation or most of it, if they wish to continue in service. This is fair enough, but I think we must put everyone in the same position and not penalise by our own

¹ No. 316. ² Tel. 1989-S of 21 September. L/S&G/7/912.

act those who choose to continue in Government service, as against those who prefer to go elsewhere. I think the Interim Government themselves when they understand the point will be anxious to put no premium on leaving Government service, so far at any rate as Indians are concerned. In Cabinet this week we are to discuss the I.C.S. position at the Centre, which, even with the British officers available, is very tight indeed. We practically depend on the charity of the Provinces, and until the new Central Civil Service gets going, which will take five years or so, the Centre will have to continue to look to the Provinces.

I have told my Political Adviser that I have no objection to his sending demiofficially to Patrick a copy of a representation made by one of his officers about the position of the Political Service at the present time. They are not entitled under the rules as they stand to retire on proportionate pension, and there is a good deal of dissatisfaction among them. I have telegraphed to you suggesting that the amendment of rule 2 of the Premature Retirement Rules should be taken up. I am sure that we must make an announcement at the earliest possible moment about the future of the Services.

2. In your letter you mentioned that you thought I might ask Nehru to use his influence with the Bihar Ministry to restrain them from releasing dacoits and other criminals on the false plea that they were political prisoners. I have considered doing this, as the matter is certainly a very serious one, but I do not want to use the Congress High Command to influence Provincial Governments more than I must, since as a matter of policy it is undesirable to encourage the Interim Government to take a hand in provincial affairs.

3. You asked about an extension for Puckle at the Embassy in Washington. I have no objection to his being retained in this post as long as you consider it necessary.

4. We get letters here from time to time from J. P. Brander, whom you mention, about the population problem. The recommendations of the Population Data Committee are under examination, and I think it is true to say that intelligent people here are well aware of the existence of the problem. The famine and the subsequent food shortages have increased the number of people who take an interest in it. I have had Brander's papers sent to the Health Department, and will mention the matter to the Member for Health, but I am quite sure we must leave Indians to tackle this problem for themselves: we cannot force our ideas on them.

5. Jinnah has now asked to see me this evening, but my note of the interview will not catch this bag. I have no idea what line he will take. There is, however, still an air of optimism in some of the Press reports, and B. N. Rau seems to have been able to reassure Jinnah on a number of points in regard to the Constituent Assembly.³ There has been a report in the *Statesman* that the League

might rescind their resolution rejecting the Scheme in the Statement of May the 16th and be content to remain outside the Interim Government. I doubt very much whether this is correct, and Nazimuddin told Abell definitely that the League would not accept one without the other.

I heard a report that Jinnah was waiting for a letter from London and the same day a letter from 10 Downing Street arrived in my air mail bag, which was duly sent on to Jinnah. I do not know what the contents were, but I assume that I should have been informed if they were important.⁴

I think Jinnah probably wanted to get the A.I.C.C. meeting over before committing himself to further discussions. Nothing damaging was said on the first day and I do not think it likely that any provocative speeches will be made. I understand that there is strong pressure from Assam that the Congress should not give further commitments about the grouping business, and I am disturbed to hear that at the other side of India, Nehru wants to set up some sort of a democratic body in Baluchistan before the Constituent Assembly meets. I can only suppose that this Baluchistan idea is directed towards reinforcing the possible objections of the N.-W.F.P. to the formation of a North-Western Group, and if any news reaches the Muslim League of the examination now being made under Nehru's instructions in External Affairs Department, the effect will obviously be bad. It seems that the Congress are still relying on their wits and legal chicanery to nullify the advantages which the League were to obtain from the Statement of May the 16th in exchange for giving up Pakistan.

6. It seems possible that within a day or two Molotov may receive approaches from both the major Indian parties. According to today's Press a Muslim Leaguer named Yusuf Haroon from Sind is to put the Muslim League case to Molotov and ask for Russian support. Yesterday I telegraphed to you⁵ about a proposal of Nehru's that Krishna Menon should be sent to Europe as a sort of roving ambassador whose first duty would be to deliver a personal message in Paris to Molotov. My minute on the file deprecating the Krishna Menon project has caused Nehru to write a long and rather polemical minute to his colleagues, of which he sent me a copy; but I believe that the official telegram to you has not yet been sent off.⁶ I expect it will go in due course. The move to send Krishna Menon may have been due to some forewarning of the visit by Haroon, though I hear the League deprecate Haroon's action which was taken on his own responsibility.

7. I have had several skirmishes lately with Nehru. The Congress feel very strongly about the position in Sind and are no doubt under pressure from their

¹ See No. 350.

⁴ See No. 410, para. 7 for Lord Pethick-Lawrence's explanation.

⁵ No. 357.

⁶ The official telegram sending the proposal to the Secretary of State has not been traced on the relevant files.

party there who expect the fullest support in the elections. The Congress hope of course that they may be able again to prevent the formation of a Muslim League ministry, and if they can do that, it means something of a breach in North-Western Pakistan. I have sent in this bag my correspondence with Nehru on the subject.⁷ His last letter, written perhaps during the pressure of the A.I.C.C. session, was in intemperate language, and I consider I showed restraint in not sending back a much more outspoken reply.

As you know, Nehru spoke strongly in Cabinet last week about the use of Indian troops abroad, and I expect Baldev Singh will have to put up the paper on the subject, though he himself is likely to feel a lot less strongly than Nehru. For the moment the Defence Member seems to have acquiesced in the *status quo* in Burma, though we have asked the Governor to see that our policy of not using Indian troops for strike-breaking is maintained.

I saw your very conciliatory reply⁸ to Nehru's personal telegram⁹ about transport for paddy from Indonesia. I still hope you may be able to do something for us in this matter, as I am sure it is worthwhile taking considerable risks both from the political point of view and because we must get the rice somehow.

Nehru has put in a memorandum saying that he and his colleagues are against the awarding of Indian titles or English honours to Indians. I shall talk this over with him next time we meet and try to discover how strong the feeling is on the subject. It would be difficult to insist on giving honours to Indians if both the major parties objected. On the other hand, we clearly must continue giving honours to British members of the Services, and it is wrong that there should be a discrimination between them and the Indian members of the same Services. Again it seems unnecessary to stop honours for humanitarian work, and there is likely to be almost the same demand as of old from the States. In fact a clean sweep is not possible, and there is just a chance that I may be able to persuade Nehru not to press the matter immediately.

8. Many thanks for your telegram No. 140 of the 17th September about the operation of American air services in India.¹⁰ I note the position but hope that the American Envoy will be able to discover for himself at Delhi that we do not dictate policy to the Departments.

9. Nehru's letters about Sind show a desire to trespass on the Provincial field and on the Governor-General's control over the Governors. He sent me another letter asking to be kept informed of all important correspondence between Political Department and the States. Though we can certainly give him information about matters of joint administrative interest and he will get such information on the proposed Consultative Committee, I do not propose to inform him of everything important passing between the Political Department and the States. This would cause much trouble with the Rulers and is quite unjustified as the Central Government will not inherit Paramountcy.

10. You will have seen from the Press that the Bengal Government have survived the motions of no-confidence in both Houses of their Legislature. They may find the Commission of Enquiry less easy to satisfy, but I doubt very much whether there will be conclusive evidence to implicate the ministry.

[Para. 11, on an honour for Sir H. Knight, omitted.]

12. I have continued to have Members of the Cabinet and other political leaders in to dine with me, usually alone. I have lately had Rajendra Prasad, Pant the Premier of the U.P., and Kher the Bombay Premier. They have all been very friendly, and I think they appreciate being asked. I do not force any political discussion on them, but they usually start the subject themselves, and I then impress on them the necessity from the Congress point of view of a settlement with the League.

I asked Jinnah, but he said it might be misunderstood at present and that he would prefer to be asked later.

⁷ See Nos 349, 351, 353 and 359. ⁸ No. 344. ⁹ No 335.

¹⁰ In this telegram Lord Pethick-Lawrence told Lord Wavell that President Roosevelt's envoy on civil aviation questions, Mr Brownell, was proceeding to India. He said it seemed clear it would be hard to disabuse Mr Brownell of the idea that any difficulties he faced with the G. of I. were due to pressure from H. M. G. Lord Pethick-Lawrence hoped Lord Wavell would drive home unobtrusively the extent to which the Indian Govt was a free agent. L/E/8/6575.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/125: ff 79-80

IMMEDIATE
SECRET

NEW DELHI, 26 September 1946, 1.20 pm
Received: 26 September, 2.30 pm

No. 2025-S. I saw Jinnah yesterday evening for an hour and three quarters. We discussed first the Interim Government. He said that if the Congress would make a gesture of good-will and not appoint a Nationalist Muslim, that would very greatly ease his position. We discussed the minority representatives, and he took exception only to Bhabha, whom he called a nominee of Patel's.

2. He asked for a convention that major communal issues would only be decided by a vote of both communities, and I explained that if a matter involving such an issue was likely to come before the Cabinet, the two party leaders concerned would try to iron it out beforehand. If they failed, I should try to reconcile the differences. I pointed out that a convention would be no more

effective than the freedom to resign in the event of an adverse decision in the Cabinet. Jinnah agreed, but said that he would need some convention to satisfy his supporters.

3. He did not apparently take great interest in the allocation of portfolios, but asked about the Vice-President's position. I suggested that it would be better to distribute other important offices such as Vice-Chairman of the Coordination Committee rather than try to arrange for the Vice-Presidency to be held in rotation.

4. We then discussed the long-term issue. Jinnah said he would require time for consideration as it would be the all-India Council which would have to decide to change the policy on this matter, whereas the Working Committee could authorise immediate participation in the Interim Government.

5. He said that there were two essential matters on which a decision would have to be reached before he could agree to recommend his Council to come into the Constituent Assembly. The first of these was that the meeting in Sections must be made quite clear. The second was that there must be some agreement on how certain matters were to be settled; i.e. whether the Group and Provincial constitutions impinged on the Union subjects, or vice versa, the Union Constitution impinging on Group or Provincial Autonomy. Again, who was to decide on the interpretation of the Statement of May 16th, particularly as regards section 15? He seemed quite prepared to agree that these matters should be referred to the Federal Court.

6. He said that there would have to be a good deal of discussion on the procedure of the Constituent Assembly before it met; if 300 or so members met without a considerable measure of agreement between the principal parties, no reasonable results would be reached.

7. I promised to see Nehru as soon as possible. Jinnah said that he would be prepared to see Nehru if he was certain of a favourable agreement on the points he had raised but did not wish it to appear that he had gone to the Congress to ask for favours.

8. Jinnah was very quiet and reasonable, and appears anxious for a settlement if it can be done without loss of prestige.¹

9. I am seeing Nehru at 3 p.m. today and Gandhi at 4 p.m. The latter interview was arranged before I saw Jinnah because I understood that Gandhi was leaving Delhi tomorrow and was intended mainly as a courtesy visit.

¹ Lord Wavell's full note of his interview with Mr Jinnah on 25 September is on R/3/1/125: ff 71-4.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/PO/10/18: f 285

PRIVATE

INDIA OFFICE, 26 September 1946

No. 2026-S. I should like to propose to the Interim Government that they should overhaul completely the High Commissioner's Office in London, and expand it so as to make it capable of taking over gradually India's correspondence with His Majesty's Government of which it will ultimately be sole channel. This would of course fit in well with political ideas here, and if High Commissioner's Office is to be capable of taking full strain within eighteen months or so there is no time to be lost.

2. I think an effort should be made to start transferring at once, or as soon as the necessary staff can be got in position, all agency functions including military performed by India Office.

3. It would help my relations with the Cabinet if I could take the initiative in proposing the action, and I should like to do so with the least possible delay. Have you any objection?

4. I expect E.A. Department here, with which C.R. Department is likely to amalgamate, will soon take over control of Indian High Commissioner from Commerce Department.¹

¹ In tel. 148 of 4 October Lord Pethick-Lawrence informed Lord Wavell that the question of transferring functions to the High Commission had been under consideration in the India Office. He agreed that energetic measures would be needed if the High Commission was to be capable of playing its appropriate part within a reasonable date and saw no objection to Lord Wavell proposing they should be put in hand. He suggested, however, that Lord Wavell might prefer to wait until the India Office's proposals were sent to the appropriate Govt of India department. L/PO/10/18: f 287.

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Field Marshal Viscount Wavell to Mr Abell

R/3/1/125: ff 81-4

TOP SECRET

26 September 1946

Note for P.S.V.

We have now got to decide on what I feel will be the really critical stage of the negotiations, the approach to Congress. I think that the sooner I see Nehru the better. I would propose to speak to him on the following lines:

"I have seen Mr. Jinnah, and I am pretty sure that the Muslim League will

come into the Interim Government on the existing basis, if you can make it easy for him and welcome him. It is, as I have repeatedly said, of such vital importance both to the Congress and the whole of India that the Muslim League should enter the Government, that I am quite sure that the Congress will make this as easy as possible. I am quite convinced that such a step will at once relieve the communal tension and will make the progress of India towards self-government much more rapid and assured, and will also facilitate administration in the interim period.¹

On the matter of the nationalist Muslim, you know my views. But I am sure that the wise thing will be not to raise this issue and to offer Mr. Jinnah the five Muslim seats provided for in the present Cabinet, without alteration of the existing personnel. This will solve the difficulty without in any way compromising the principle.

I should tell you that Mr. Jinnah raised considerable objections to Bhabha, but I am sure that he will not press this point if the procedure I suggest above is adopted, and he simply takes the five Muslim seats.

Mr. Jinnah feels strongly that there should be some convention inside the Cabinet to prevent the Muslims being out-voted on a major communal issue. I have explained to him the working of the Cabinet, and that the real safeguard is that a Coalition Government cannot exist except on the condition that both parties are satisfied on the major measures taken by it. Jinnah recognises this, but thinks it essential to have some sort of guarantee with which to satisfy his Working Committee. I suggest that Mr. Jinnah might be assured in the following terms:² (We must see whether it is possible to devise some acceptable formula).

I spoke to Mr. Jinnah about the working of the Cabinet if he came in, and explained that I wished it to work as a team and that the two major parties should consult each other on all important issues, since I did not wish to be put in the position of having continually to decide between them. I suggested that the best way would be for the leaders of the Congress and the Muslim League in the Cabinet always to discuss the measures proposed before they came to Cabinet, and if necessary discuss them with any other Members of the Cabinet. If there was any serious difference of opinion, the leaders could come to me and I would endeavour to resolve it.³

Mr. Jinnah suggested that the office of Vice-President of the Governor-General's Council might be held in rotation. I explained that the only official function of the Vice-President was to preside at Cabinet meetings in the absence of the Governor-General, and I suggested that it might be better to make an arrangement that the Leader of the Muslim League party should be Vice-Chairman of the C[on-ordination] C[ommittee of the] C[abinet], which was an almost equally important office.

Mr. Jinnah wanted an agreement from me that in the event of there being

a vacancy in the Minority representative seats in the Cabinet,⁴ I would consult the leaders of both parties. I agreed to do this.

Mr. Jinnah is prepared to discuss the question of the distribution of portfolios. He did not give me the impression that he would be very difficult over this, provided the Muslim League party got a fair share of the principal portfolios.

If Mr. Jinnah is satisfied on the points set out above, he will call his Working Committee at short notice and recommend to them the entry of the Muslim League into the Cabinet.

Provided that you can agree to meet Mr. Jinnah on the above points, I think I can persuade him to go to you and discuss them, so that the settlement will be reached by agreement between the two parties and not imposed by the Viceroy. If this can be arranged, I am sure I can count on you to give Mr. Jinnah a most sympathetic welcome and make his entry easy for him without any loss of prestige. This is perhaps the most vital step that can be taken at present on India's road to freedom, and will I am sure alter the whole atmosphere. It would be criminal folly if we allowed the small points now outstanding to wreck an agreement, or failed to settle the matter because of points of personal or party prestige. The attitude of the Press will also be of the greatest importance, we must use the utmost influence on both sides to get the Press to represent the settlement as a triumph of statesmanship and moderation of both main parties and not as a success or defeat for either. I suggest that if we can arrive at an agreement, we might have a broadcast to India in which I and you and Mr. Jinnah should speak in turn.⁵

¹ Mr Abell added here in red ink: 'I repeat the assurance I have already given you that the last thing I want is to create a "King's party" in the Cabinet. I want to see the Cabinet work as a team, and to be able to abstain from interference.'

² The following passage was prepared (apparently by Mr Abell) for insertion in the brief here:

I think this is a point on which some satisfaction should be given to Mr Jinnah if only to ease his passage with his Working Committee. Having seen the attitude that my present colleagues have adopted towards matters before Cabinet I am sure that they would not dream of trying to force through Cabinet by a majority any issue that vitally prejudices Muslim interest, nor if by some mischance such a proposal came before Cabinet and was carried, could I fail to intervene in view of my special responsibility. I believe that if an assurance in something like the following terms were given it would very rarely, if ever, have to be implemented:

"If any proposal before the Cabinet raises what in the opinion of the Viceroy is a major issue vitally affecting Muslim interests it shall only be carried if a majority of both major parties is in favour."

This formula goes much less far than a formula referring to "major communal issues" and could not have the effect of giving the Muslim League a general power of veto in the Cabinet.

R/31/125: f 85.

³ Mr Abell wondered whether this sentence might not be omitted.

⁴ Mr Abell added here in red ink: '(not including the Scheduled Caste seat)'.

⁵ Mr Abell added in red ink: 'In my broadcast I would acknowledge the right of each party to choose its own nominees and would congratulate the Congress on refraining, in the interests of team-work, from appointing a Nationalist Muslim.'

If Mr. Jinnah is satisfied on the issue of participation in the Interim Government, I am convinced that he will persuade the Muslim League to come into the Constituent Assembly. But he will require to hold a meeting of his Council to agree to this, since it was the Council that decided on non-participation. He thinks that a meeting of the Council could be convened in about a month or so, during which time it is hoped that the atmosphere will have very greatly improved, as a result of the agreement on the Interim Government. I think that Mr. Jinnah's discussions with Sir B. N. Rau have persuaded him that the Constituent Assembly can be worked, provided that he is satisfied on two main points: (a) the meeting of Provinces in Sections to discuss the formation of Groups,⁶ and (b) that the method in which differences of opinion on the interpretation of the Mission's Statement and of the possible over-lapping of functions between the Union Centre and Groups of Provinces can be decided; I think Mr. Jinnah would be prepared to accept the ruling of the Federal Court on these matters.

Mr. Jinnah considers, and I agree with him, that there should be a good deal of discussion between the parties, on the working of the Constituent Assembly, before its first meeting. A great deal of this work has already been done by Sir B. N. Rau and his secretariat, and I think there should be no difficulty in reaching agreement on this.

The entry of the Muslim League into the Government and the Constituent Assembly will of course make negotiations with the States a great deal easier; they would in fact be hardly possible if only one party were in the Government and Constituent Assembly."

Please let me have your views on the above line of approach, and what else we can say or do to bring about a settlement. What I am chiefly afraid of is the influence of Gandhi and Patel in the background. I do not much like making an appeal to Gandhi, he has let one down so many times; on the other hand, if he uses his influence against a settlement, it might be decisive—But I feel we must be very firm with Congress that it would be a crime to let this opportunity slip, and must get HMG to support me in being, if necessary, fairly tough with them.

W.

⁶ Mr Abell added in red ink: 'and provincial constitutions'.

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*Mr Abell to Field Marshal Viscount Wavell**R/3/1/125: f 86**26 September 1946*

DPSV, Mr. Menon, and I have discussed Y.E.'s note¹ about the interview with Pandit Nehru. I started by making some suggested amendments in red ink,² but after discussion with Mr. Menon we all agreed that a slightly different approach would be best. The main idea would be that Y.E. would expose your own hand on the details to the minimum extent at present. Your only positive suggestion should be about the crucial Nationalist Muslim issue, and you should try to leave everything else to the parties. The line taken might be as follows.

You first describe objectively the course of your interview with Mr. Jinnah, which you could do from the interview note.

You would then repeat the assurance given yesterday that the last thing you want to do is to create a "King's Party" in the Cabinet. You want to see the Cabinet working as a team and to be able to abstain to the maximum extent from interference.

You are sure that the right way of securing an agreement is through direct negotiation between Mr. Jinnah and Pandit Nehru, and your object is to secure this. You realise that even if an agreement can be reached by other means it will be far less effective and less likely to last if it is of the nature of a scheme imposed by the Viceroy.

The main objective being a quick and peaceful transfer of power, a genuine agreement is required, and not just a patched-up compromise.

You might then allow the discussion to develop, and it would probably focus on the Nationalist Muslim issue.

You would say that you think the right solution is for Mr. Jinnah to concede the principle and for the Congress then to refrain from appointing a Nationalist Muslim. You feel sure that if Mr. Jinnah came to the Congress to discuss the terms of his entry into the Interim Government, and if he started by conceding the principle that each party had a right to choose its own nominees, the Congress would consider honour satisfied. Is this correct? If so, you think you might be able to persuade Mr. Jinnah to go to Pandit Nehru and concede the principle. Once this was decided it will certainly not be beyond the statesmanship of the two parties to settle the other issues (about which Y.E. would make no suggestions at this stage).

You would however ask the Congress to go as far as they possibly can in meeting Mr. Jinnah on the points he has raised.

¹ No. 366. ² See No. 366, notes 1-6.

If this was agreed, the actual interview between Jinnah and Nehru might be arranged by taking Y.E.'s name, i.e. Y.E. might write to Pandit Nehru suggesting that he and Mr. Jinnah should get together, and Mr. Jinnah should then be persuaded at the next interview that it should be for him to go to Pandit Nehru, which is undoubtedly right, but you, not Jinnah, would have taken the initiative.

G. E. B. ABELL

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/125: ff 90-2

MOST IMMEDIATE
TOP SECRET

NEW DELHI, 26 September 1946, 10.30 pm
Received: 26 September, 8.45 pm

No. 2031-S. I had an hour with Nehru this evening. I told him I was confident a settlement could be secured on the participation of the Muslim League both in the Interim Government and in the Constituent Assembly if the matter was handled with wisdom and statesmanship. I gave him an account of my interview with Jinnah¹ and told him I thought I could persuade Jinnah to approach him for direct negotiations, which I was sure was the right way, provided I could give him an assurance that the Congress would be prepared to be generous: and in particular that if the principle of free nomination by the parties was accepted the Congress would not insist on nominating a Nationalist Muslim. I said my insistence on a coalition was based on the obvious needs of the country. The last thing I wanted was to create a "King's party" in the Cabinet. I wanted it to work as a team and hoped to interfere as little as possible. The remainder of the interview was spent on the issue of the nationalist Muslim. It followed the old lines, i.e. that the Congress was a nationalist body and not Hindu, and so on, with references by Nehru to the "soul of the Congress" and so forth. Nehru said that at the recent A.-I.C.C. meeting there had been a resolution proposed that Congress should on no account give way on this issue. He said that they had been able to secure that the resolution was not actually passed, but he said that they had given a verbal assurance that Congress would not give way.

The argument was inconclusive; I maintained that the principle need not be sacrificed and that it would be wrong to throw away an opportunity of a Coalition on a comparatively minor issue. Nehru said he would come to see me tomorrow at the interview which is already fixed for noon, and I said we could then deal with the matter again.

2. I had also an hour with Mr. Gandhi. He told me that there was no fixed date for his departure, and obviously means to stay as long as the negotiations last.

I outlined to him the result of my discussion with Jinnah and used the same general line of argument as with Nehru. He listened patiently and then said that he had no doubt of the honesty of British intentions, that he entirely agreed that the Muslim League must come in, but that the nationalist Muslim was a difficult issue. As usual, he then began splitting hairs, saying that if it was merely a Congress "right", they could make concessions on it, but that if it was a "duty", it was a different matter. He said that the proper way of settling the matter would be by a meeting between Jinnah and Nehru.

Gandhi then really disclosed his hand, by saying that he wished to know what we should do if the worst happened and the Muslim League did not come in. His own view was that in that event it would be of no use for the Constituent Assembly to meet, and it would be quite honourable for the British Government to say that their scheme could not be maintained, and that the solution made by a Constituent Assembly in which the Muslim League was not represented would not be enforced by British arms.

I said to him that that was a possible line of argument, but supposing the worst did happen, which I refused to admit and was not going to allow, what was his solution; "Where did he go from there?"

He said that though the Constituent Assembly should be dropped, the Interim Government should go on, the vacant Muslim seats being filled by other prominent Muslims.² This of course has been Gandhi's³ objective and the objective of the majority of the Congress, I think, from the first, i.e. to establish themselves at the Centre and to suppress, cajole or buy over the Muslims, and then impose a Constitution at their leisure.

I said quite firmly that I was not prepared to accept his solution; I was not going to allow the present negotiations to fail, but that if they did His Majesty's Government would have to reconsider the whole position.⁴

¹ Sec No. 364. ² 'Muslims' deciphered 'zealots'.

³ 'Gandhi's' deciphered '(? Communist)'.

⁴ Lord Wavell's note of his discussions on 26 September with Pandit Nehru and Mr Gandhi is on R/3/1/125: ff 87-8.

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*Lord Pethick-Lawrence to Pandit Nehru**Telegram, L/PO/10/18: f 285*

PERSONAL

26 September 1946

No. 17477. Personal from Secretary of State for Pandit Nehru. My telegram No. 17103 dated 20th September.¹ You will have been glad to see reply to Food Department in telegram No. 17378 dated 25th September² and will share my satisfaction at the outcome of further deliberation here.³

¹ No. 344.

² In this tel. the Secretary of State said that H.M.G. had decided to accept the military risks involved in over-ruling the views of the military authorities on the supply of motor transport to the Indonesians for the movement of rice. L/E/8/6645.

³ In tel. 8564 of 3 October Pandit Nehru told Lord Pethick-Lawrence that he greatly appreciated the action taken by H.M.G. L/PO/10/18: f 287.

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*Lord Pethick-Lawrence to Mr Attlee**L/PEJ/10/45: ff 12-13*

TOP SECRET

INDIA OFFICE, 26 September 1946

Secretary of State's Minute: Serial No. 63/46

Prime Minister.

I attach for your consideration a draft letter¹ to the Viceroy in reply to his memorandum of 7th September² containing his proposals for a breakdown policy.

2. Although we were unanimous in disagreeing with the Viceroy's proposals, the situation he envisages may very well arise from political or administrative causes, or from a combination of both. We may therefore be forced to withdraw from India without having set up a permanent stable Government. This would mean that India would cease to be an effective part of the Commonwealth Defence system, and even if a successor Government emerged which were willing to conclude a military agreement with us it would probably not be in a position to give such an agreement effect in a way which would be of any substantial value to us, because in such a situation the Indian Army would be likely to disintegrate, and internal disturbances would be widespread.

3. It seems to me therefore that we ought before long to warn Dominion

Premiers of the possibility of such a development since their defence interests would in some cases be very directly affected.

4. I am sending copies of this Minute to the President of the Board of Trade and the First Lord of the Admiralty.³

PETHICK-LAWRENCE

¹ This was the same as No. 379, apart from the amendment given in No. 379, note 3.

² No. 286.

³ In his Minute M. 325/46 of 28 September, Mr Attlee said he had read the draft of No. 379 and was in agreement with it. L/P&J/10/83A: f 68.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

L/WS/1/1013: ff 173, 183-90

TOP SECRET

26 September 1946

My dear Wavell,

I enclose two copies of a paper in which the Chiefs of Staff have examined the position which would arise if it became necessary to yield to the demand of your Interim Government for the withdrawal to India of all the Indian forces outside India.¹ The paper, you will see, includes arguments which might be used to dissuade the Interim Government from pressing such a demand to its full extent, also makes some suggestions as to certain minor withdrawals which could, if necessary, be offered.

The conclusions of the Chiefs of Staff have been accepted by the Prime Minister. The paper has not yet been referred to the Defence Committee (who will probably "take note" of it).²

I am, however, sending you the paper at once, both because it shows the very serious embarrassment which would be caused by the complete withdrawal of all the Indian forces outside India, involving practically a breakdown in South-East Asia Command and a very serious situation in the Middle East, owing, largely, to the extent to which the forces in both areas depend on the administrative organisations manned almost entirely by Indian personnel, and also in order that you may be able to make use of the arguments contained in it to

¹ The Chiefs of Staff decided to have this paper drawn up following receipt of a private telegram from Field Marshal Auchinleck to General Mayne (No. 270087/CGS of 14 September) in which Field Marshal Auchinleck warned that, from a note he had received from Pandit Nehru on the question of Indian troops overseas, he anticipated that an early demand for the withdrawal of Indian troops from Iraq and probably from other overseas stations might be expected. L/WS/1/1060.

² The report was in fact circulated on 24 September as Defence Committee Paper D.O. (46) 112. On 2 October (D.O. (46) 26th Meeting) the Defence Committee took note of the report. Public Record Office, PREM 8/243.

reinforce your powers of persuasion to dissuade your colleagues from pressing the demand foreseen. You will no doubt wish to show the paper to the Commander-in-Chief.

Yours sincerely,

PETHICK-LAWRENCE

Enclosure to No. 371

Cabinet Defence Committee

INDIAN FORCES OUTSIDE INDIA
REPORT BY THE CHIEFS OF STAFF

We have always foreseen that a new Indian Government might demand the withdrawal of all Indian forces outside India. There are indications that this is likely to arise as soon as the new Indian Defence Minister takes office on 21st September.

We have, therefore, examined—

- (a) the implications which would arise if such withdrawal had to be conceded;
- (b) arguments which we might use to dissuade the Indian Government from pressing such a demand;
- (c) whether there are any withdrawals which we might offer to make in order to place the Indian politicians in a stronger position *vis-à-vis* their own public opinion.

2. The main duties of Indian forces outside India are as follows:—

- (a) They provide the bulk of the administrative organisation in S.E.A.C. and a proportion of that in the Middle East.
- (b) Certain Indian units form part of the forces in the Middle East. In addition an Indian Brigade Group supported by units of the R.I.N. has been sent to Basra for use in South Persia should the need arise and a reserve brigade is standing-by in India, in case it is required.
- (c) India provides the bulk of the forces in Burma, Malaya, N.E.I. and Hong Kong.
- (d) Indian forces are taking part in the occupation of Japan.

3. At Appendix we show the extent to which, should Indian troops be withdrawn, we should have to replace them. We consider that it would be necessary to find from British sources the equivalent of some eight brigade groups in addition to the administrative troops in S.E.A.C. and Middle East. This estimate does not take into account the replacement of the Indian contribution in Japan, the withdrawal of which we consider is unlikely to be

demand, nor that of Indian troops in N.E.I. which are due for withdrawal in November.

IMPLICATIONS OF PROVIDING REPLACEMENTS

Administrative Troops.

4. The administrative organisation in S.E.A.C. is almost entirely manned by Indians. In addition there are some Indian administrative units in the Middle East, including six Indian transport units which are of great importance. There is a general shortage of administrative units and in particular of transport units in every British theatre. If all Indian administrative troops were withdrawn, it would be necessary to resort to the following measures:—

(a) Raising the army man-power ceiling to enable us to form sufficient additional British administrative units. In order to maintain forces of approximately the present size the total additional requirement would be of the order of 150,000 to 200,000 and the formation of the new units would clearly take time. It might be possible to reduce the requirement for British man-power by the measures given in (b) and (c) below.

(b) Speeding up and extending where possible the present policy of replacing service personnel by local labour. There is a grave shortage of such labour in S.E.A.C. due to wholesale extermination by the Japanese and widespread malnutrition. This situation would be much aggravated if we were unable to retain the J.S.P. now there.

This expedient would involve a requirement for white manpower for supervision and the process would be lengthy.

(c) Recruiting East and West Africans. This might raise political difficulties and would also be a lengthy process involving British personnel for command and training.

5. Even if the above implications are accepted we could not replace Indian administrative troops except after a considerable delay. An early withdrawal of those units would lead to—

(a) difficulties in the Middle East, particularly in connection with the evacuation from the Delta;

(b) an administrative breakdown in S.E.A.C. which would mean that we could no longer properly maintain our forces in the area. In this event not only would the rehabilitation of the countries concerned be gravely affected, but their internal security would be imperilled by greatly increased risks of serious civil unrest.

Operational Units.

6. It is impossible to provide any further British units from Europe without abandoning accepted commitments. The only method by which additional

British units could be made available to replace Indian units would be by slowing down the rate of demobilisation. Even this would be insufficient to provide the necessary units, without calling up additional men and accepting a considerable delay.

The following are possible expedients by which the requirements for additional British units might be reduced:—

(a) *British Troops from India.*—There are at present in India six brigades of British troops and some miscellaneous British units. Even these are administratively supported by Indian troops. These troops would be sufficient to relieve the Indian units overseas and could themselves be replaced by Indian troops returning. The presence of British troops in India, however, is likely to be essential until stable conditions exist in that country, and their premature removal might well lead to civil war. Moreover, there is some reason to believe that the new Indian Government is in fact anxious for British troops to remain.

(b) *Employment of Gurkhas.*—Negotiations have started for the transfer of eight Gurkha battalions from the Indian to the Imperial army. We have also intimated that we might wish to negotiate for a further twelve battalions making a total of twenty. We are, however, informed by the India Office that the Government of India have stated that nothing can be decided on this matter until the Interim Government is established and consequently there may be considerable delay in reaching agreement. The India Office consider that it is impracticable to insist on the employment of Gurkhas as the price of Indian troops returning to India, particularly as the Gurkhas are an integral part of the Indian Army.

The employment of Gurkhas would provide the majority of the infantry required, though there would still be a requirement for supporting units. Since, however, it is dependent on the agreement of the Indian Government, we cannot count upon replacing Indian troops by this means.

(c) *Dominion Assistance.*—The security of Malaya is of considerable importance to Australia and New Zealand, and that of the Middle East to South Africa. In view of their past attitude and present man-power difficulties however, we think it unlikely that these Dominion Governments would agree to provide any assistance at present.

Conclusion on provision of replacements.

7. The implications of acceding to the Indian request are, therefore, very grave, particularly as regards the administrative troops. Since, however, we cannot categorically refuse a request by the Interim Government for the return of their troops, we must do our utmost to dissuade them from making such a request.

POSSIBLE ARGUMENTS WHICH COULD BE USED WITH THE INDIAN GOVERNMENT

8. The following arguments show the importance to India of retaining her forces overseas, and might therefore carry weight with the Indian Government.

Middle East.

9. (a) Persia and Iraq are important outposts of India's North-West Frontier and it is of the greatest importance to India that no power potentially hostile to her should achieve a dominant position in these areas. We are already providing the main naval and air strength in this region.
- (b) The oil from South Persia and Iraq is essential to India's economy. In the present unsettled state of South Persia the presence of troops in Basra is the only insurance that can be provided against these essential supplies being interrupted.
- (c) There are some 3,500 Indian nationals at Abadan and in the oilfields, whose lives would be endangered in the event of serious disorders.

South-East Asia.

10. By the premature removal of her troops India will again throw Burma and Malaya into chaos, which will be detrimental to India for the following reasons:—

- (a) The forces in Burma and Malaya are contributing largely to rehabilitation. India's trade with these countries, particularly the import of rubber and rice is an essential part of her economy. The continued supplies of rice from this area are, especially under present critical conditions, vital to India.
- (b) There are large Indian minorities in Burma and Malaya who would be likely to suffer if law and order were not maintained.

11. If the above arguments do not convince the Indian Government of the necessity for retaining their troops overseas, we could point out to them that if Indian troops are not available, we would find it extremely difficult to meet our essential commitments in these areas without calling on British troops now in India. While the Indian Ministers are believed to realise the importance of British troops remaining in their country for the present, it must not be forgotten that it is also in our interests that they should do so. Unless therefore this argument is handled with extreme care it may be a dangerous one to use.

ORDER OF CERTAIN WITHDRAWALS

12. It is possible that the Indian Government might be persuaded to drop or modify their demands for the return of Indian forces overseas, provided they

could have some achievements in this respect to show. In the first place we should point out that considerable withdrawals of Indian troops are already planned and will take place as follows:—

- (a) 7 Indian Division is due to return to India from Malaya by the end of this year on replacement by 23 Indian Division from Java.
- (b) All Indian troops will be withdrawn from N.E.I. by 30th November. This date is now so close that limitations of shipping rather than operational requirements govern the speed of withdrawal.

13. In addition to the above, we consider that we could, if necessary, offer to make the following withdrawals (means of implementing these are discussed in the Appendix):—

- (a) Two Indian battalions from Middle East, at present in Cyrenaica and the Dodecanese.
- (b) Subject to the development of the situation in Burma, possibly one Indian brigade from Malaya.

CONCLUSIONS

14. We conclude that:—

- (a) If we have to accede to a request by the Indian Government for the withdrawal of all their forces outside India, this would produce a most critical situation in which we should be faced with a breakdown in S.E.A.C. and a serious situation in the Middle East.
- (b) Every effort should be made to dissuade the Indian Government from pressing such a demand, using the arguments set out in this paper.
- (c) Considerable withdrawals of Indian troops are already planned, and in order to assist the Indian politicians *vis-à-vis* their own public we could offer to make certain small additional withdrawals.

Recommendations.

15. We recommend that the Defence Committee approve this paper for use by the India Office in dealing with this subject.

Appendix

In this Appendix we set out the location of the various Indian units and formations stationed outside India and examine the extent to which they can either be withdrawn without replacement or be relieved from local resources. We have assumed in this Appendix that Gurkha units would have to be relieved in the same way as other Indian formations.

MIDDLE EAST

Dodecanese and Cyrenaica.

2. There are two Indian Battalions in the Middle East (other than in Iraq). Owing to the prolonged commitment of the Italian Colonies, we have asked the Indian Government if these battalions could remain until the question of the Italian Colonies is settled. If the Indian battalions are withdrawn, Middle East will have to go short by that amount.

G.H.Q. Troops.

3. There are twelve garrison companies guarding stores, vulnerable points, etc., in Middle East. There is already a shortage of such units and we do not think that these could be spared without replacement. Some three equivalent battalions would be required to do this and could only be provided by increasing the number of African garrison companies, the provision of which is already proving difficult and falling short of our requirements.

Iraq.

4. Three Indian battalions are stationed in Iraq. In addition a brigade group and some R.I.N. units (Force 401) have recently been moved to Basra for use in Southern Persia if necessary.

So long as troops are required in Iraq, Indian troops, if withdrawn, would have to be replaced. This could only be done by diverting troops in Middle East from other tasks in Egypt, Greece or Palestine with consequent repercussions.

Administrative Troops.

5. There are some 15,000 Indian administrative troops at present in Middle East excluding those in Force 401. These include six transport units which would have to be replaced. About a quarter of the remainder could be withdrawn without replacement if the Indian combatant units in the Middle East are also withdrawn.

Burma.

6. The garrison of Burma is at present four Indian Brigades, with divisional troops and three independent Indian Battalions, and eleven battalions of the Burma Army. The situation in this country has been deteriorating and S.A.C.S.E.A. has been given permission to move a brigade of 2 British Division into Burma should he consider it necessary.

Under these circumstances we do not consider that we can count on any reduction of our forces in Burma.

Four Indian brigades each have a British battalion and therefore eleven Indian battalions require to be relieved.

Malaya.

7. There are at present in Malaya one Indian Division and two brigades of 2 British Division. We consider that three brigades are required in Malaya.

There is one British battalion in the Indian division at present in Malaya and one in each of the two divisions in N.E.I. If, therefore, all these three divisions are withdrawn to India, three battalions could be made available for Malaya. Provided, therefore, that 2 British Division is available we should be able to meet our requirements.

There is the possibility that a Brigade of 2 British Division might be moved to Burma. But against this it is possible that as an emergency measure the requirement for Malaya could be cut to two Brigades. This means that 2 Division will no longer be available to reinforce India if this should be necessary, or to meet any other emergency that may occur.

Hong Kong.

8. The future garrison of Hong Kong is at present under discussion but G.H.Q. (I.) wish to withdraw the Indian Brigade to India in either December or April next.

Administrative Troops.

9. The bulk of the administrative troops in South-East Asia are Indians. These are required if we are to continue to meet our commitments.

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Mr Gandhi to Field Marshal Viscount Wavell

R/3/1/125: ff 94-5

"VALMIKI MANDIR", READING ROAD,
NEW DELHI, 27 September 1946

Dear Friend,

It occurs to me that I should reduce to writing my impressions of our talk of yesterday.¹

You were good enough to explain to me at length the result so far of your effort at peace-making between the Congress and the Muslim League. In the course of our conversation you told me that your leanings were towards the League.² In your opinion there was left only one point³ of difference between the two parties, viz. the question of representation of a non-League Muslim out

of the Congress quota. You recognised fully the reasonableness of the Congress position but you held that it would be an act of high statesmanship if the Congress waived the right for the sake of peace. I urged that if it was a question of waiving a right it would be a simple thing. It was a question of non-performance of a duty which the Congress owed to non-League Muslims. I entirely agreed with you on the proposition that it would be a great day if and when the Congress and the Muslim League came to a mutual understanding without reservations, mental or otherwise, and that it would be worse than useless if the two came together only with a view to fight each other. Moreover, I stressed the point that Qaid-e-Azam Jinnah should seek an interview with Pandit Nehru and try to come to an honourable understanding. If, however, the worst happened and the Muslim League boycott of the Constituent Assembly persisted and the British Government decided to discontinue the Constituent Assembly, I would hold it to be perfectly honourable. For, even though the Cabinet Mission had led one to suppose that they would continue the Constituent Assembly, I did not expect that they would or could continue it, in spite of the successful boycott by one of the major parties. You then interpolated the remark that there were three parties, not only two. The States were the third party. You added that if the boycott persisted you had grave doubts as to whether the States would come in.

Though I might be alone to hold the view, I said that I could not envisage the framing of a workable constitution if one of the two parties withheld co-operation and force had to be used to keep the boycotters under restraint.

You then asked me to work out the logical conclusion of the discontinuance of the Constituent Assembly and asked me what I thought of the Interim Government.⁴ I told you that I had little doubt that no matter what happened, the National Government, having been once summoned, should continue to function unless they themselves felt unable owing to their own incompetence or inability, to do so. I added that the Congress had put up its very best men not at all in the spirit of gaining power for a party but in the spirit of selfless service of the whole nation. They were so considerate towards you and the League that they had hesitated to fill in the two Muslim seats in the hope of the League coming into the Interim Government. You doubted if you could contemplate the continuance of the Interim Government and that in any case you were only a servant of the Crown and that you would have to take your order from His Majesty's Government.⁵ Whilst I appreciated your stand, I said the continuance of a *bona fide* national Government at the Centre was a vital necessity and that any departure from it would lay the British people open to the gravest suspicion

¹ Cf. No. 368.

² Lord Wavell minuted: 'I said nothing of the kind.'

³ Lord Wavell minuted: 'No, I said I thought the main point.'

⁴ Lord Wavell minuted: 'No, I said where do we go from there, in your opinion.'

⁵ Lord Wavell minuted: 'I said that H.M.G. would have to reconsider the whole position.'

on the part of the people of India and would be a tragedy of the first magnitude.

At the conclusion of our cordial talk, encouraged by you to say anything further if I wished to, I mentioned the Kashmir case about which the Working Committee had passed a very just resolution⁶ which, in the event of Kashmir State's obstinacy or notions of false prestige, might lead to far-reaching consequences and I asked for your friendly as distinguished from legal assistance to smooth out rough edges.

I had a talk last night with Pandit Nehru and Sardar Patel and as a result I have decided to stay on here for some days, may be even a month.

I am,

Yours sincerely,

M. K. GANDHI

⁶ On 25 September the Congress Working Committee passed a lengthy resolution on Kashmir which included provision for the sending of a deputation to the State to study the political situation there. The resolution appealed to the Darbar to facilitate the task of the deputation.

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Field Marshal Viscount Wavell to Mr Gandhi

R/3/1/125: f 98

27 September 1946

Dear Mr. Gandhi,

Thank you for your letter of today.¹ I think it is unwise during negotiations like those now in progress to attempt to secure agreed minutes of conversations. It was decided not to do so during the Cabinet Mission's negotiations. I will therefore not comment on your letter except to say that I definitely did not say that my leanings were towards the Muslim League. There are several other points which, if we had to reach agreement on the record, I should have to suggest changing.

I was glad to see you, and I hope you will use your influence for a settlement.

Yours sincerely,

WAVELL

¹ No. 372.

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Sir A. Clow (Bombay) to Field Marshal Viscount Wavell

R/3/1/118: ff 48-58

GOVERNMENT HOUSE, GANESHKHIND,

27 September 1946

Dear Lord Wavell,

I venture to send the enclosed memorandum of thoughts on the present deadlock and the way out. It contains nothing for which I can claim any novelty, and Your Excellency has, I am sure, had all its main points before you. But it may be of some slight help to have a fresh expression of them at this critical time.¹

Yours sincerely,

A. G. CLOW

Enclosure to No. 374

27 September 1946

The formation of the interim Government at Delhi is the most striking step taken towards the establishment of India as an independent nation and has been generally so acclaimed, both within India and outside it. It has set at rest the last doubts as to Britain's intentions and has given the majority of politically-minded Indians a new hope and the beginnings of a different outlook on the world and its problems. It appears to them to offer the prospect of progress in many directions within India and of a large and increasing influence for India outside her borders.

2. But neither of these expectations is likely to be fulfilled unless the communal issue is solved. To attempt to govern India without the co-operation of the Muslims is like starting off in a coach which has only three wheels. So long as they are hostile, not only will Government find it difficult to achieve anything substantial in India, not only will her external relations be subject to a constant canker: her Government will be hard put to it to maintain itself and the end may be a collapse of the whole structure and the partition of India. Thus, even if it is not attended with civil war and large scale carnage would be a disaster and, for reasons which are evident to most people outside the Muslim League fold, would not produce any permanent solution of India's difficulties. In short, unless a reconciliation can be secured, the new Government is more likely to bring disaster than the liberty and progress which it might secure and which all well-wishers of India would like to see.

¹ Lord Wavell noted: 'Interesting but not, I am afraid, realistic.'

3. The Muslim point of view, and the foundations for it, are wilfully or honestly misunderstood by many prominent Hindu politicians. There is a tendency in Congress quarters to attribute the Muslim hostility to the intransigence or pride of Mr. Jinnah, or to the influence of the British, and to rest content with argumentative demolition of the "two-nation" theory or with assurances, which are quite sincere, that the Muslims as citizens will enjoy as full rights and privileges as any other citizens. But to argue in such fashion is to evade the point. The Muslim League owes some of its coherence to Mr. Jinnah; but he is more of a symptom than a cause. He is there not because he represents the more educated and moderate Muslim whom Congress leaders know best, but because he represents the Muslim mass mind. And the Muslim opposition, though it might lose temporarily some of its cohesion with Mr. Jinnah's disappearance, would not be changed substantially in character or force by that account.

4. The fundamental fact is that the Muslims in India form a community whose "ethos" is essentially different from and, to a large extent, antipathetic to that of the Hindus. It is this fact which lies behind and represents the element of truth in the "two-nation" theory. That theory, in its bald form, can be easily refuted and indeed ridiculed: as Mr. Gandhi pointed out, to speak of a man changing his nation because he undergoes a religious conversion is absurd. The fact is that there is no satisfactory definition of nation; Hindus have spoken both of the Indian nation and (especially during the partition agitation) of the Bengali nation, and the cynic who said that a nation consisted of a number of people suffering from a common delusion about their ancestry and a common dislike of their neighbours was not much wider of the mark than most people. It is moreover a fact that most Muslims in India are the descendants, at no very distant date, of Hindus, though not to a large extent of caste Hindus. It is again a fact that, especially in less sophisticated areas, Hindus and Muslims have shared many customs and even participated in each other's religious festivals. But the evidence, which is not inconsiderable, that can be adduced of links between the communities cannot provide an escape from the basic fact that the two great communities stand, and will long continue to stand, in separate camps, each conscious of its own essential unity and of its distinctness from the opposite party.

5. This feeling exists on both sides, but it is naturally stronger on the Muslim side, so much so that many Hindus, and particularly those who have no living religious faith, fail to appreciate or even to recognize it adequately. For Islam is a dogmatic credal religion which, although not free from sectarian differences, has a far greater uniformity and cohesion than any other religion has attained, and is in marked contrast with the eclecticism and syncretism of Hinduism. And there is no cement like that of a common religious conviction: this bond

transcends all others that man can form. Further, Islam is to a greater extent than any other living religion, theocratic. There is for the Muslim, the tradition of an essential link between church and state, stronger than that of Roman Catholicism, or Calvinism in its extreme form. All religion is a matter not only of the individual but of the fellowship; religion claims to secure not only communion with God, but the union of those holding the same belief. And this claim is made emphatically by Islam.

6. Those who are sceptical about the reality of the religious values, or who view religion as what a man chooses to occupy his leisure thought, are incapable of appreciating the point properly. To regard a Muslim as merely a citizen who happens in his private life to hold certain beliefs about God and the unseen world, is to start off with a radically false conception of the position and to court disaster. It is not merely that, as Mr. Gandhi has himself stressed, one cannot divorce one's politics from one's religion. It is not merely that the individual's outlook on most questions of importance must be coloured by his view of reality and of the unseen. What is as true and more important, is that the individual, particularly if he is a Muslim, is not a mere individual—a John citizen, like any other one—but part of a transcendental fellowship to which he is linked by ties stronger than those which geography or propinquity or economics have forged.

7. It may be observed in passing that, as in other spheres, an imperfect understanding of the situation in Britain has helped to obscure the truth for some Hindu leaders of thought. Owing to the pragmatic character of the English, many things in Britain are very different in essence and in appearance. For example she seems to have a constitution where the executive is subordinate to the legislature; but it would be truer to say that the legislature is subordinate to the executive. Again she seems to present an example of a nation keeping its religion and its politics in water-tight compartments; but in fact her whole political outlook and the general attitude of all her parties, except the Communists, is very largely the reflection of her prevailing religious assents. If ever there arose a really strong body differing vehemently from the accepted belief, such as the Roman Catholics tended to be in the XVI and XVII centuries and the Communists would like to be now, this fact would be at once apparent. England's inability to reconcile Ireland was not due to Ireland being another nation, whatever that means, or to her having a separate race. She has no greater claim to nationality than Scotland and her people differ no more from the English than do other sections living happily with them, such as the Scottish highlanders or the Cornishmen. The trouble was religious: the bulk of Irishmen had a different ethos from the bulk of Englishmen. Even there, it may be noted, the difference was not nearly as great as that between Muslim and Hindu. The political chaos in several continental countries is due to the lack or

disappearance of a common ethos. France is a conspicuous example, and totalitarianism arose as an endeavour to produce a new ethos by force in place of an ethos (Muslim in Turkey, Catholic in Italy, Orthodox in Russia and Protestant in Germany) which had ceased to be generally acceptable.

8. The conclusion to which this leads is that reconciliation and peace in India cannot be secured by ignoring, minimizing or attempting to suppress the peculiar position of the Muslims. It can only be attained by giving that position full recognition, and its proper place within the constitution itself. In other words the Muslims must be treated as a unity; negotiations must be on this basis and the settlement must admit them on this basis. Despite all the logical absurdities of the two-nation theory, there is less danger of going astray in thought and action if the Muslims are regarded and treated as a nation than if they are regarded as merely a number of citizens who hold, or can be induced to hold, views held by other political parties. The Muslim League's claim to speak for the community as a whole should be conceded, and efforts by the Congress to retain or strengthen dissident elements should be abandoned. It is at this precise point that the real stumbling-block to unity stands; and it can only be removed by a frank recognition that the policy of splitting the Muslims, as Muslims regard it, or of forming a party which would cut across the big religious division, as Congress leaders regard it, is bound to fail and has failed.

9. Not only has it failed: it has brought nothing but bitterness in its train. In 1937 leading Muslims, including Mr. Jinnah, were ready to see the Muslim League represented in the Provincial Governments and were kept out, while other Muslims, generally of poor calibre and of little influence in the province, and in one or two cases of unfortunate character, were included. Strong efforts were then made to detach a larger section of the Muslims from adherence to the League. There is no need to discuss this effort in detail: the Congress, feeling that unity was essential to secure independence, kept claiming that it represented the Muslims, and adopted various methods in attempting to make that claim real. But the cohesion of the Muslim community has grown steadily and to-day the great bulk of Muslims regard those who accept place and power on the other side as "quislings", while these men, however high their motives, cannot claim either to represent or to be typical of their community.

10. The change of outlook here advocated is admittedly not free from difficulties for the Congress leaders. In the first place, it appears to involve throwing over the Congress Muslims, who in provinces where their community is dominated by the League, have adhered to the Congress cause and suffered obloquy and in a number of cases imprisonment for so doing. In the second place there is one province—the N.W.F.P.—where the Congress has secured a majority of Muslims. Are they to be thrown over in favour of the minority? As regards the first section—the Congress Muslims in the majority of provinces

—the answer must be that they have served any purpose they had and that their disappearance from positions of authority is an essential step for the peace of the community. As regards the second section—the Congress Muslims in the N.W.F.P.—the answer is that so long as they can, they may hold power in the province but they are not sufficiently numerous or advanced to have any claim to share in the Central Government.

11. Further, it is inevitable that the Muslims adhering to the Congress will decrease in numbers and lose what influence they still possess, even if Congress attempts to support them. For they owe their existence to the fact that India was not given full freedom and to doubts if she could attain it unless fully united. With the recognition of Britain's determination to make India completely self-governing, the attraction of Congress for Muslims must diminish and disappear. The Muslims who adhered to it did so, in most cases, because they disliked the British more than the Hindus or, to put it in a more charitable way, because they valued independence more than the unity of their community. But with liberty gained, such motives will cease to have play and it does not take any great gift of prophecy to see that, in default of a reconciliation, the Muslims adhering to the Congress will become steadily feebler and fewer, and the rift between the communities will grow even deeper than it is.

12. Another difficulty is that the recognition of the Muslim claim seems to many to mean the perpetuation of communalism in Indian politics and so likely to delay indefinitely the hope of building up a united nation. It is felt by many Hindus that the grant of separate electorates to the Muslims was, if not a device for creating division, a system which accentuated division. With joint electorates, the men most likely to be returned would be those least hostile to either community, i.e. those who minimize the differences between them. With separate electorates those who stress the differences and wish to perpetuate them have the better chance. This is to a large extent true and constitutes a more serious objection to the treatment of the Muslims as an entity. But it is essential to face facts and the fact is that, at this stage of India's political history, the grant to the Muslims of the right to choose their own representatives is essential. In all but certain limited areas (where Hindus would be unrepresented) they would have no chance of returning their own candidates at the centre and would have generally a choice between Hindus with at times the possibility of electing a dummy Muslim chosen by Hindus. And with certain areas represented by Muslims and the rest almost entirely by Hindus, the tendency would be for the former areas to secede, i.e. to create a Pakistan.

13. Proportional representation over large constituencies would, in theory, be free from the serious objection to separate electorates; but it is open to other objections. It is difficult for a semi-educated electorate to understand, the

constituencies would have to be so large as to involve almost a divorce between the representatives and the electorates, and the real gainers would be the party bosses. None of these objections is fatal; and if the Muslims were willing to accept it, it offers many advantages. But it seems extremely unlikely that it would get any substantial Muslim support and an attempt to enforce it against the will of the Muslims would be fatal. For the present, it looks as if separatism must be recognized, not merely because the Muslims want it but because it corresponds with political realities and gives that recognition of the Muslims as an entity which is essential for peace. One can only hope that later parties will tend to be formed on issues which attract men from different communal camps.

14. Some Congress leaders entertain hopes that the recent change or the advent of complete self-government will of itself weaken communal affiliations and Muslim solidarity in particular. They may feel in the first place that there is always a tendency on the part of many to join the winning side; any Indian Government can attract the support of a large number merely because it is in power. Men of this kind may exercise votes but they are not likely to constitute real political strength or to prove stable if trouble arises. The strength of Mr. Jinnah, as of some other Indian leaders, depends on the conviction that he is incorruptible. In the second place, hope may be placed on the working of Government, on evidence of fair treatment for all communities, on the achievement of reforms that are desired by all. But electorates are not appreciably affected by gratitude, and a politically conscious people does not appreciate reforms which it has had no share in effecting. In the third place, reliance may be placed on the existence of other ties and particularly the economic links between the communities. Thus there may be the hope that parties will be formed on an economic rather than a communal basis. But this is a vain hope, so long as the Muslims feel that they are prevented from exercising power as a community. This would be true even if it were not a fact that in places e.g. East Bengal, the communal divisions are, to some extent, economic divisions also. The effort to organize on an economic basis was tried in the Punjab with some success for a time: but as full self-government came nearer, it was bound to weaken and has now largely failed.

15. To sum up, the path of peace can only be found by treating the Muslims as a united community and negotiating with them on this basis. They are not a nation, but it will do no harm if non-Muslims think of them in some such terms, i.e. if they are regarded as a people within a people with whom power has to be shared. They must not be regarded as a political minority who, in the last resort, have to bow to the majority view and who can be reduced in size and strength by appropriate political moves or constitutional devices. They should be regarded virtually as a partner which has agreed to come into a federation on the understanding that, in matters of central concern, the

constitution will offer it as effective a voice as the other great partner, despite the disparity in numbers. Co-operation in the Governments, Central and Provincial, should produce gradually mutual esteem and affection. The process will be slow, but it cannot be speeded up by adopting the opposite course of attempting to override the present differences.

16. There is no call to work out the details here. If the principle is accepted, these may not prove difficult of adjustment. But they must include acceptance of the League's claim that non-League Muslims shall not be accepted as Ministers except possibly, for the time being, in the N.W.F.P., and they should include the grant in some form of parity between Muslims and at least caste Hindus at the centre.

17. Generosity on the part of Hindu leaders in this matter is necessary in the interests of India, and also in the narrower interests of those whom they represent. For it is only through a settlement that they can, in the end, secure effective government. It may be added that even the most generous settlement that is conceivable would give the Muslims only a small share in the power. At the centre the greater intellectual and economic weight of the Hindus is bound to give them dominance. The formation of groups on the lines indicated in the White Paper will not give the Muslims more than a share of power in the N.E. and N.W. groups, and in the larger area outside these groups they will be a very small minority. In the provinces, where the bulk of the authority affecting the people closely will continue to reside, most of the governments will be very largely Hindu, and even in the Punjab and Bengal (as at present constituted) only coalitions with the Hindus can hope to be stable.

A. G. CLOW

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Note of discussion between Lord Pethick-Lawrence and Sir S. Cripps¹ on 27 September 1946 at 2 pm

L/PEJ/10/75: ff 181-2

TOP SECRET

The Secretary of State said he wanted to discuss the general issue of the direction in which we were moving in India. If we could not get an agreement between the Congress and the Muslim League by negotiation then it seemed to him we were faced with alternatives both of which were disastrous. Either we should have to take one side and support it, or else we should have to evacuate India. On the first alternative he thought that if the Constituent Assembly were

¹ Mr Turnbull was evidently also present.

convened without the Muslim League the Muslims would resort to direct action. This would not be non-violent and might assume very serious proportions and cause the disintegration of the Indian Army. The Constituent Assembly would be wholly Hindu and we could not impose its findings on Muslim India. We should then find ourselves participating in a civil war. Alternatively, if we evacuated India there would be civil war and chaos, the Russians would penetrate India, there would be no effective defence of India against external dangers, and the position of the British Commonwealth would be seriously injured because India would cease to be a participant in the Commonwealth Defence system; and if she became dominated by the Russians, communications with Australia and New Zealand would be cut.

Sir Stafford Cripps said he thought that this was an unduly gloomy view of the situation. He thought that there would be a settlement between the Congress and the Muslims, that there was a widespread demand for such a settlement and that the Congress in their hearts knew that they could not achieve their purpose without a settlement. If, however, negotiation failed he thought we should go ahead with the Hindus only in the Constituent Assembly. But this would, in effect, mean that there would be Pakistan because it would be an invitation to the Muslims to set up their own Constitution-making Body for the Muslim areas. None the less, he thought that nominally the Constituent Assembly should be set up for the whole of India but that we should make it clear that we were doing this on the basis to which Congress leaders had always assented that nobody could be coerced to come into an all-India constitution; that is to say, we should, in effect, go back to Provincial option.

If the Viceroy's negotiations broke [?down] he thought that we should get Nehru and Jinnah over here preferably with one or two of their own supporters, and of course the Viceroy would come also. If Nehru would not come then we should get the Viceroy here and discuss the situation with him.

Mr. Turnbull pointed out that one of the main objects of the Mission's Statement was to get away from the Provincial option provision of the Cripps Offer because that raised the difficulty of how the option would be exercised. This was a real difficulty because the existing legislatures did not give the Muslims a majority in the Punjab, Bengal and Sind where they are a definite majority of the population. If the Congress would not agree with the Muslim League in negotiation on the comparatively minor points which divided them, this seemed to be an indication that they did not want an agreement, at any rate at present. In these circumstances ought not H.M.G. to make a statement as to how the Constituent Assembly is to work on the disputed points, and if Congress refused to come to the Constituent Assembly on that basis, convene it by Sections and not as a whole and, if necessary, withdraw into Sections B and C and protect the Section Constituent Assemblies leaving the Union constitution to be framed later.

Sir Stafford Cripps said that this was a possibility. His own idea at the moment was that we must go ahead with the Constituent Assembly but he would not like to lay down now what we must do in some weeks' time when the conditions were changed. His present judgment was that the threat of Muslim disturbances was not so serious as the Secretary of State thought. The plan outlined by Mr. Turnbull might result in the Hindus refusing to come to a Constituent Assembly at all.

The Secretary of State said that he felt the very gravest alarm about the course of events if we could not secure an agreement, but he did not see there was anything more we could do at the moment than we were doing. The Parliamentary Debate at the end of October might provide an opportunity for making a statement of our intentions as regards the Constituent Assembly if the state of the negotiations in India seemed to make that desirable.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

L/PO/10/23

PRIVATE AND SECRET

INDIA OFFICE, 27 September 1946

Received: 2 October 1946

Thank you for your letter of 17th September.¹ I have now had your telegraphed account of your interview with Jinnah on the 25th² and, as I write this, have just received your account of your conversations with Nehru and Gandhi yesterday.³ It is satisfactory that Jinnah is discussing the matter without heat, but, so far as I can judge, he seems to be maintaining his position completely. The impression I get from your report of the conversation with him is that he would be prepared to take his chance in the Constituent Assembly providing he were assured that the Sections would meet and that an impartial authority such as the Federal Court decided other disputed points of interpretation, but is not likely to come into it unless he gets his requirements met in respect of the Interim Government. But it seems unlikely Congress will agree to these. Moreover, you may be right that the Congress, or at any rate the dominant forces in it at the moment, do not want the Muslim League to come in now and, as you say, Gandhi's suggestion that the Constituent Assembly should not be summoned if the Muslim League will not co-operate and that the Congress Interim Government should continue indefinitely shows the sort of thing he has in mind. On the other hand, it is quite possible that Gandhi put this up mainly to see how you would react with the idea of testing the ground in order to get some

¹ No 329.

² No 364.

³ No. 368.

indication of our probable line against which to consider the proposition you had put to him earlier in the interview.

2. The satisfactory outcome to the dispute between Wylie and his Ministry about the recruitment of I.N.A. men to the Police, and the relations of the Ministry with the Inspector-General, is most encouraging. Nehru seems to have taken a reasonable attitude and perhaps the outcome is in some measure due to the regard which Congress have for Wylie personally; but it may perhaps also be due to their desire not to have any avoidable political crises until they have got themselves firmly established at the Centre.

3. Krishna Menon has arrived and came to see me on Wednesday morning. He spoke about his Mission from Nehru to Molotov in Paris; I said I was interested to hear about it and I understood that the High Commissioner had already been asked by Pandit Nehru to help him over his travel arrangements; I had no doubt that he would keep in touch with the High Commissioner who would do everything necessary. Krishna Menon then suggested that I might like to ask him for information on any points in regard to the situation in India on which I might not be up-to-date, but I did not feel it necessary to avail myself of this opportunity. Our interview was cordial and reasonably short. Menon made no reference to any "roving commission" to foreign powers⁴ and I naturally did not touch on this subject. I have not myself received any direct communication from Nehru about Krishna Menon. Menon's visit was indeed heralded by an emissary with a letter, who had instructions to say that he had a very important personal communication from Pandit Nehru which was to be delivered into my own hands; he was, however, persuaded to deliver it to my Private Secretary and it turned out merely to be a letter from Krishna Menon himself, asking for an interview.

4. I gather from your private telegram No. 1983-S,⁵ that you will have been glad to learn of the reversal of the decision not to hand over further vehicles to the Indonesians, for the movement of rice from the interior to the ports. I must say that it seemed to me all along that, with India's food situation what it is, it would be right to take advantage of a certain immediate gain at the risk of a possible future embarrassment. Nevertheless I hardly expected the policy to be reversed and was agreeably surprised when it was as a result of a staff conference between the Prime Minister and the Chiefs of Staff. Incidentally, this matter was the occasion of a personal telegram⁶ (the first of its kind) from Nehru to myself soliciting my personal support for the desired reversal of policy. The terms of his telegram were innocuous and I replied suitably to it.⁷

5. The Nepalese Special Mission which has come to present the King with a token sword and helmet to symbolize His Majesty's appointment as honorary Commanding-General in the Nepalese Army, and the Queen with the insignia

of the Order of Rajanya, have been guests of the Government for the last six days. As they are staying at the Legation this has not amounted to much in the way of hospitality, but, as the enclosed programme⁸ will show, we did arrange to give them a certain number of outings. General Shankar, who flew to England with the insignia, did not arrive until mid-day on the 20th September. Consequently he was not able to be with the Mission when I received them on Friday morning. He took part in all the other items of the programme, however, and I was able to greet him at the Government reception at Claridge's on Monday evening. The Audience with Their Majesties which was arranged by the Foreign Office and the Lord Chamberlain's Department seems to have gone off very well and I hear that all the Members of the Mission from General Baber downwards were very pleased with the honorary decorations they received from the King. Baber was, in particular, extremely pleased to receive from the King's hands, by way of a memento, the document containing a signed copy of the speech which His Majesty read to the Mission expressing Their Majesties' thanks for the honours bestowed upon them by the Maharajahdiraja.

General Shankar is hoping shortly to pay a visit to America on holiday before returning to Nepal but the rest of the party are due to sail for India on the 5th October by the *s.s. Andes*.

6. On September 23rd I managed to fulfil a long-deferred engagement to address the Imperial Defence College which re-opened under William Slim last April and is housed spaciouly in Scaford House, Belgrave Square (formerly the Howard de Walden's). The audience was, as you will appreciate, composed of staff officers of the three Fighting Services and Civil Servants and included three American officers who are taking the course and I gave a talk covering the general background, the work of the Mission and the present situation. I had been preceded by Reginald Coupland, who had given a survey of the historical, social and economic background so I was able to confine myself to general issues and it was an enjoyable and, I believe, profitable afternoon.

7. I am sorry to say that there is as yet no further progress to report regarding the scheme of compensation for members of the Secretary of State's Services. At the request of my colleagues the matter was discussed on Friday last between my Advisers and representatives of the Treasury but no agreement was reached on the principal points under discussion and I shall have to make a further reference to my colleagues. In the meantime I have received your telegram⁹

⁴ See No. 357.

⁵ Of 20 September. Lord Wavell reported that there were strong feelings expressed at an Interim Cabinet meeting on H.M.G.'s refusal to supply vehicles to the Indonesians. He personally favoured taking the risks involved in providing the vehicles L/E/8/6645.

⁶ No 335.

⁷ Nos. 344 and 369.

⁸ Not printed.

⁹ See No. 363, para. 1.

giving the personal views of yourself and the Governors on the question of differentiation between officers who continue to serve under the new Governments and those who do not. I thank you for this and recognise the cogency of the arguments.

8. The situation in Burma continues from day to day in a fluid state, and I thought it best to ask Rance to get his Private Secretary to let Abell know what was finally decided about an announcement and broadcast. Rance continues to handle this delicate situation with ability and to send me the briefest and most lucid telegrams. I sincerely hope that we may soon be able to see our way out of the wood.

[Para. 9, on an honour for Sir H. Knight; paras. 10 and 11, relating to passages to India by sea; and para. 12, on a visit to India by Sir A. Gillan, omitted.]

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Mr Gandhi to Field Marshal Viscount Wavell

R/3/1/125: f 110

“VALMIKI MANDIR”, READING ROAD,
NEW DELHI, 28 September 1946

Dear Friend,

I have your letter of yesterday's date¹ for which I thank you. As the conversation between us turned out to be important as I conceived it, I thought I would let you have my impressions so that you could correct me if I had erred. For I had to report the purport of our conversation to Pandit Nehru and other friends. Even during the Cabinet Mission's negotiations I had sent to Lord Pethick-Lawrence or Sir Stafford Cripps, as the case may be, my impressions of our talks and this was beneficial. As for your correction, of course I accept it unhesitatingly. But my impression definitely was that at the very outset of your description of what had happened between you and Qaid-e-Azam Jinnah, I understood you to say that although in some of his presentations he was unreasonable, your leanings were towards the Muslim League. But after your correction my impression loses all its value.

I would like to have your other corrections also if you have the time. Although we may never make public use of our conversations I have found, throughout my 55 years' stormy public life, written records of inestimable value for promoting mutual understanding and further conversation. But, of course, I am in your hands in this matter and your wishes shall prevail for I want to fulfil your "hope" that I "should use" my "influence for a

settlement". For this cause, which I have at heart, I would naturally ever want to understand you correctly and fully if only because, of all the persons in India, you enjoy a unique position.

I am,

Yours sincerely,

M. K. GANDHI

¹ No 373

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Mr Bevin to Mr Roberts¹

Telegram, L/P&S/12/4045: f 19

IMPORTANT

FORLIGN OFFICE, 28 September 1946, 11.55 pm

TOP SECRET

No. 3221. On September 17th, Food Department of Government of India telegraphed to India Office proposing that an appeal should be made to the Soviet Government for the supply of surplus food grains to India.² They stated that although they were aware from previous correspondence (see my telegram No. 1213)³ that chances of response were small, they felt approach should be made not only in view of India's desperate food position but also because reaction of Soviet Government might indicate what their attitude was towards India and would help Government of India to frame future policy towards U.S.S.R. and in particular to judge whether a proposal for direct diplomatic relations might be made. If response to personal approach from Pandit Nehru to Molotov was favourable despatch of small mission to Moscow to discuss matters in greater detail was contemplated. Telegram ended by asking advice of His Majesty's Government.

2 India Office have replied to Food Department advising them to send appeal for food grains to Soviet Government through you.⁴ At the same time they have telegraphed to External Affairs Department stating that while His Majesty's Government appreciated Government of India's motives for approaching Soviet Government they would be well advised to bear in mind possible disadvantages of diplomatic relations with Soviet Union which were apt to be somewhat one-sided.⁵

3. These telegrams were despatched after meetings here with India Office when it was agreed that we could not hope in the long run to dissuade Government

¹ H M Minister in Moscow.

² See tel. 8095. L/P&S/12/4045: f 31

³ Not on L/P&S/12/4045.

⁴ Tel. 17189 of 22 September L/P&S/12/4045 f 26.

⁵ Tel 17190 of 21 September *Ibid.*: ff 27-8.

of India from establishing diplomatic relations with Soviet Government especially as Government of India had decided to open diplomatic relations with United States and China. A telegram was, however, also sent to Viceroy by Secretary of State for India⁶ stating that we and the India Office consider that it would be better to delay exchange of diplomatic relations with U.S.S.R. until political outlook in India is less uncertain and expressing the hope that Viceroy would be able to dissuade Nehru from going ahead too fast.

4. Meanwhile Mr Krishna Menon, who is acting as Nehru's personal representative, has arrived and gone to Paris to make personal appeal to M Molotov for food grains.⁷ We suspect he may also mention question of opening diplomatic relations but do not know what his exact instructions are.

⁶ Tel. 17191 of 21 September L/P&S/12/4045 ff 29-30

⁷ See No. 356.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

L/P&J/10/45: ff 3-9

TOP SECRET

INDIA OFFICE, 28 September 1946

My dear Wavell,

The Prime Minister recently held a special meeting¹ with myself and the President of the Board of Trade and the First Lord of the Admiralty to consider the proposals which you forwarded under cover of your note of the 7th September in a memorandum entitled "A policy for India".² The First Lord came over from Paris specially in order to be present.

2. Your proposals have raised a great many doubts in our minds and our views in regard to them are set out below. I deal with your proposals first on the basis of a breakdown involving the dismissal of the Interim Government, and subsequently on the alternative basis that there is no such breakdown.

3. We entirely recognise that the policy we are pursuing is attended by great risks and that a situation may arise in which we are unable to remain in India even though a constitutional settlement has not been achieved. There must therefore be an emergency plan in readiness for the withdrawal of Europeans from India if the situation becomes uncontrollable. We understood from you in Delhi that plans had been worked out in detail by military and civil authorities for such an evacuation, the basic principles of which were to concentrate Europeans in certain key areas which would be held by force if necessary and to withdraw from those on to the ports which also would be held so long as necessary for the purpose. If the only consideration were to withdraw Europeans

with the maximum degree of protection, withdrawal from the Centre outwards in this way seems to be clearly the best course. We assume, therefore, that in proposing as you do in your memorandum that, in a phased withdrawal, four Provinces in Southern India should be evacuated in the first stage, you are influenced by the political effects referred to in paragraph 11 (c) and (d) of your memorandum, which you hope will result from the proposed announcement of our intention to withdraw.

4. I am afraid that we feel the very greatest doubt whether an announcement of the kind you propose would, in fact, have the political effects which you envisage. In our view it might quite possibly and even probably have the very opposite effect to that which you envisage. The situation would be that every effort to secure a compromise between the leaders of Congress and of the Muslim League by negotiation would have failed. If the Congress are not prepared to make the comparatively minor concessions which appear to be necessary to secure the co-operation of the Muslim League in the Constituent Assembly, then surely, as you have yourself indicated may be the case, the situation is that Congress do not want Muslim League co-operation at the price of the concessions proposed by the Cabinet Mission. If this is so it must mean that Congress are convinced that they can, if necessary, deal with any disturbances the Muslims may create. In our view they greatly underestimate the dangers, but it does not appear to follow in the least that they will revise their estimate of the dangers merely because they have become more imminent. The Congress may welcome the opportunity afforded by our departure of putting the matter to the test, while the Muslims may well feel that the announcement removes the last hope of securing what they regard as justice by peaceful means and consequently prepare themselves to use force at whatever moment may seem the most advantageous to them. It therefore seems to us that the announcement you propose would result in a scramble for power and an attempt to set up Pakistan by force either at once or in the wake of our withdrawal. The extremist Left Wing elements and the Goonda elements will be anxious to exploit the situation at the expense of the wealthy classes, and the announcement of a phased withdrawal spread over a period of 14 months would give both them and the Muslims time to plan and organise attempts to seize power by violence.

5. A Caretaker official Government in declared process of abdication would, we think, be quite powerless to deal firmly with this situation. The allegiance to it of all Indian elements in the Services would naturally be severely shaken by the announcement. The Commander-in-Chief's note seems to support the view that the Indian Army would not be reliable and that quite possibly it might disintegrate during the caretaker period. We feel great doubt whether these

¹ See No. 354.

² No. 286.

effects would be compensated for by the increase in the European element in the administration in Northern India through the reinforcement of it by European personnel withdrawn from the evacuated Provinces. It would be only natural for the Indian personnel to be extremely reluctant to become the instruments for repressing the Congress to whom they would inevitably be answerable after our departure. Your plan envisages retaining in the first stage of the withdrawal both the United Provinces and Bihar which, with Congress against us as a result of the dismissal of the Interim Government, will be the most uncontrollable

6. For these reasons we greatly doubt whether the situation in Northern India would under your proposals be tenable even for a short time. We might, therefore, be driven to a complete withdrawal from the North of India in very dangerous conditions and, having withdrawn our control from Madras and Bombay, we should be left only with Calcutta, which would undoubtedly be very disturbed, and Karachi, which is difficult of access, through which to withdraw. This seems to us to be taking a high risk as to the safety of Europeans.

7. On a particular aspect of your plan we do not see how units of the Indian Army with their British officers could be left in evacuated Provinces which will be under Congress control. On the assumption that Congress have been dismissed from office at the Centre we think we must assume their hostility to the Caretaker Government and that, therefore, the evacuated Provinces would be virtually independent and unfriendly. In these circumstances we do not see how the supplies, pay and control of Indian forces in these Provinces could be maintained. We could give no assurance of due protection to the European officers left with such units and we could hardly compel them to stay if they did not wish to do so. It seems from the Commander-in-Chief's note likely that there would be widespread desertion by Muslims and the position of British officers might well become dangerous.

8. A further major difficulty about your proposals is that they cannot be put into effect without the authority of Parliament. Responsibility for the Government of India is laid upon H.M.G., yourself and the Governors by the Act of 1935 and we are not entitled to discard this responsibility as a political act without the approval of Parliament obtained in advance of your proposed announcement. We feel sure that there would be great difficulty in securing such authority without a constitutional settlement unless a situation existed which justified such a step on grounds of undeniable necessity. There would certainly be an acrimonious debate and the political repercussions in India might be considerable.³ A withdrawal demonstrably forced upon us by the necessity of circumstances would be quite a different matter from the point of view of obtaining Parliamentary authority. In such circumstances it would be

practicable to announce a decision to make a general withdrawal and seek Parliamentary authority subsequently.

9. I now turn to your proposal to announce not later than 1st March, 1947, the decision to withdraw from India by a phased programme even if there is no political breakdown and the Constituent Assembly is working and the Interim Government remains in office. We recognise that even in such comparatively favourable circumstances it is possible that the situation might become untenable by the summer of 1948 on purely administrative grounds. But we should have thought it at least equally possible that if the two major parties were co-operating in the Constituent Assembly and in the Interim Government the present situation in the Provinces would improve. In any event we certainly could not justify to Parliament in February or March next so drastic an act of policy as your proposed declaration merely on an estimate that such a situation would arise within 14 months. On the assumption that there is no political breakdown we feel that we should carry on as long as possible giving every assistance we can to secure orderly transfer of power to a Government set up by the Constituent Assembly.

10. So far as your proposals are based on the apprehension of an administrative as distinct from a political breakdown we considered whether there was anything which could be done to assist in strengthening the administration in the interim period. A suggestion to this end was advanced at our discussion which is described in a note appended to this letter. If this suggestion is practicable it would make possible some strengthening of the European element in the Services during the interim period. We should be glad to have your views on this suggestion and to know whether you think that it would be helpful if the proposed arrangements could be made.

11. In general, therefore, our view is that what you propose in the event of a breakdown involves risks which far exceed any possible advantages and that it is attended by substantial difficulties in the matter of obtaining the necessary authority from Parliament. Your alternative proposal for use if there is no overt breakdown we consider quite impossible on the latter ground alone. You are naturally entitled to ask how we should then propose to deal with the situation which you advise us is impending. Our view is that if a withdrawal from India becomes unavoidable we should withdraw from India as a whole as quickly as possible and without a long period of notice, that the governing consideration should be the safety of European personnel, and that therefore a military plan of the kind referred to in paragraph 3 above is the one which should be adopted. We should be glad to be assured that this military plan is

³ In the draft of this letter sent to Mr Attlee with No. 370 this sentence read 'There would certainly be an acrimonious debate and the political repercussions here might be considerable.' The wording was changed at Sir S. Cripps' suggestion. L/P&J/10/45: ff 11, 16

constantly kept up-to-date and in readiness. The decision as to when a situation has arisen which compels us to make such a withdrawal can only be taken in the light of circumstances as they develop.

Yours sincerely,

PETHICK-LAWRENCE

Appendix to No. 379

Note on a proposal for reinforcing the Services in the interim period

The suggestion is that the possibility of strengthening the European element in the Services in India should be re-examined from a new point of view. European officers might be recruited for service in India on the basis that they would be guaranteed at least 15 years' service either in India, or in the Colonial or Foreign Service if they were not required to serve in India for the whole of that period.

2. It is recognised that the consent of the Government of India and/or Provincial Governments would be required. Although Provincial Governments have, with one exception, expressed the view in connection with the war service recruitment that they do not wish for additional European officers of the Secretary of State's Services, it is suggested that some of these Governments at any rate might welcome recruitment of additional Europeans if the terms were such that they were able to dispense with them at any time without having to give compensation.

3. Although such officers would not normally be of great value for four or five years after their recruitment, it seems probable that if the men recruited were drawn from a higher age group than is normally the case and if they were men with war service probably in India or the East, they might in quite a short period become of value as a reinforcement to the Services in disturbed conditions. The basis would be that these men were recruited not to the Secretary of State's Services but to the Colonial or Foreign Service and lent for service in India. Presumably while serving in India they would have to receive the same terms as members of the Secretary of State's Services, but their pensions might be on the Colonial Service scale. The Indian Governments would be asked to pay pension contribution in respect of the service rendered.

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*Field Marshal Viscount Wavell to Mr Gandhi**R/3/1/125: f 115*

No. 592/58

THE VICEROY'S HOUSE, NEW DELHI,
29 September 1946

Dear Mr. Gandhi,

I thank you for your letter of yesterday.¹ I quite see your point about securing an accurate record, but I would prefer to stick to the principle of not agreeing minutes of personal discussions during these negotiations, and I will not therefore comment further on your first letter.²

I am very glad indeed to hear that you will use your great influence for a settlement. That it is essential to secure a settlement now is common ground. It will be a proud and happy day for us all when the Interim Government becomes a fully representative coalition.

Yours sincerely,
WAVELL

¹ No 377² No 372

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*Field Marshal Viscount Wavell to Lord Pethuck-Lawrence**Telegram, R/3/1/125: f 117*IMMEDIATE
SECRETNEW DELHI, 29 September 1946, 1.20 pm
Received: 29 September, 2.30 pm

No. 2061-S. I saw Jinnah yesterday evening for three quarters of an hour. I explained the progress of discussions with the Congress, and that they had mainly centred round the issue of the Nationalist Muslim. I told him that I had pressed the Congress leaders very hard to make a gesture by not appointing one, but so far without success.

2. I stressed the need for Jinnah to give way if necessary on this question, and in exchange to secure his other points; and said that it was possible that Congress would not in fact appoint a Nationalist Muslim in the end, if Jinnah conceded their right to do so. I urged the importance from the point of view of Muslim interests that the Muslim League should join the Coalition Government.

3. Jinnah used his usual arguments to show that the Congress desire to

appoint a Nationalist Muslim was not honest, and that if they wanted co-operation they should not insist on it. I urged that even in that case he should frustrate their design of securing power to themselves at the Centre by coming in on almost any conditions. I suggested the possibility of a bargain at the centre in exchange for League agreement to participate in Provincial Governments even though they contained a Nationalist Muslim. Discussion on this point was inconclusive.

Jinnah was friendly and obviously anxious to secure agreement if possible, but the Nationalist Muslim still remains a very difficult issue.¹

¹ Lord Wavell's note of his interview with Mr Jinnah on 28 September is on R/3/1/125: ff 113-14.

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Sir O. Caroe (North-West Frontier Province) to Field Marshal Viscount Wavell

Telegram, R/3/1/92: f 7

IMMEDIATE

29 September 1946, 11.40 pm

CONFIDENTIAL

Received: 30 September, 6 am

[Unnumbered.] Will Your Excellency please see urgently Foreign telegram No. 8422 of 28th September.¹

2. This is deliberate partisan approach to tribal problem at most critical juncture. If this plan is carried out at this moment and before League comes to terms I am convinced that serious tribal reactions must be expected and that any hope of securing coalition is likely to be wrecked. Nor should I be in position to discharge my responsibility for maintaining tranquillity of border.

3. Visit to Province now to assess our many problems and to discuss with myself my Ministry and leaders of political parties would of course be very welcome.

4. I have not yet replied to Foreign telegram.

¹ In this telegram the Foreign Department, New Delhi, informed Sir O. Caroe that Pandit Nehru proposed to pay a visit to the Frontier in October which would have to be confined to one week. Pandit Nehru wished to be accompanied by Khan Abdul Ghaffar Khan and felt Dr Khan Sahib might wish to join him. He would also be accompanied by Mr Weightman or Major Crichton. The telegram asked for a tentative programme for the visit. R/3/1/92: f 2.

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Minutes by Mr Abell and Field Marshal Viscount Wavell

R/3/1/92: f 8

30 September 1946

Telegram below from the Governor of the NWFP.¹ It struck me when I read this that the Governor was taking an exaggerated view, and DPSV, who knows the Frontier, agrees. It is quite impossible out of date to suggest that the Foreign Member should keep away from the Tribal Arcas, and if there are unfortunate consequences we shall have to put up with them. I suggest the issue of the draft
clow.²

G. E. B. ABELL

Please speak. We obviously cannot prevent visit but I don't quite like wording of telegram.³

No 382 2 and 3 i.e. the draft of No. 384

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*Field Marshal Viscount Wavell to Sir O. Caroe
(North-West Frontier Province)*

Telegram, R/3/1/92: f 10

IMPORTANT

NEW DELHI, 30 September 1946, 8.45 pm

SECRET

No. 2073-S. Your telegram of 29th September.¹ I suggest you reply that it might be best confine first visit to Peshawar, in order to ascertain the problems of the Frontier and to discuss them with yourself, your ministry and other political leaders.

2. If we get a coalition here it may be impossible for Nehru to undertake the visit at the time proposed. If we do not I think there will be little advantage in my urging Nehru to postpone it. He will be very suspicious as a result of any such attempt. If he insists on going to the tribal areas we shall have to deal with the results as best as we can.

¹ No 382.

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*Remarks by Pandit Nehru on Grouping and Mr Gandhi on League-Congress Co-operation¹**L/P&J/10/111: f 67*

Pandit Nehru has thrown a further light on the controversial question of grouping in the Provinces as contemplated in the British Cabinet Mission's statement of May 16th, says the United Press.

Replying to a letter addressed by Mr. Gopinath Bardoloi, the Prime Minister of Assam, regarding the grouping of Assam with Bengal in the coming Constitution, Pandit Nehru says: I fully appreciate the feeling in Assam with regard to sections or grouping. I think our position will safeguard your sentiment completely. Having accepted the document of May 16th, we have inevitably to accept going into sections, but the question is as to how we shall function in these sections.

You are right in saying that I did not go into this matter in my broadcast because I did not wish to raise controversial issues there. But our position is clear. Provincial autonomy must be maintained and the Province must decide both about grouping and about its own constitution. It is true that we have accepted the Federal Court's decision with regard to the interpretation and we must abide by that decision of ours. But in no event are we going to agree to a Province like Assam being forced against its will to do anything.

The Constituent Assembly has now been postponed to December, and we do not know what developments might take place by that time. Whatever they might be, if Assam is strong enough nothing can happen to Assam that it does not like.

"India is on the march to independence; it is coming whether there is agreement between the Muslim League and Congress or not. None can stop it. It is her destiny. She has bled enough for it," said Mr. Gandhi to a foreign Press correspondent in the course of an interview reported in *Harijan* on 29th September. The correspondent's question was whether cooperation between Congress and the League would not help the attainment of Indian independence, and was not therefore desirable.

Mr. Gandhi added of course, if there is hearty cooperation between the two, progress will be quicker and smoother. But it must be real unity of heart, not make believe.

The correspondent remarked: considering that the difference between the Muslim League and Congress has narrowed down to one or two basic issues

would it not be better to make a little sacrifice to secure agreement? Mr. Gandhi replied: You cannot sacrifice a principle to gain a doubtful advantage. When two parties cannot agree, and both are sincere in their respective conditions, it is clear that one of them must be wrong. Both cannot be right. The world must be arbiter in that case. It dare not withhold judgment. It has often been found in the progress of non-violence that even people who want to be perfectly just come to a wrong judgment.

¹ These news items were sent to the Information Dept. of the India Office in tel. A 3519 of 30 September by the G. of I, Press Information Bureau.

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Lord Pethick-Lawrence to Sir S. Cripps

Public Record Office. CAB 127/80

INDIA OFFICE, 30 September 1946

My dear Stafford,

Yours of today.¹ Nehru evidently objects to V[iccro]y having talks with Jinnah *re* entering interim Govt. I don't see how you can possibly give him any assurances on this point. I don't feel disposed to stop V. doing it and if I did I think V. would resign.

It is essential we should stand behind the V. in pressing Congress for an accommodation and I am glad you wrote the letter² you told me you had sent to N. which will have crossed his to you.

The Nationalist Muslim still seems the wrecking rock.

Otherwise N. and J. might come to terms on the Constituent Assembly. But it is highly improbable that J. will take part in the C.A. unless he comes into the Interim Govt.

If the V. can't bring it off I fear N. will need a lot of persuading to come to London to meet J.

I don't think I told you that Norman Cliff (the journalist) claimed authorship of the idea that in order to do away with parity in the I[nterim] G[overnment] Congress should nominate a Muslim. It was a most unfortunate proposal.

From all I can read the V. seems to be giving a very great deal of effective power to the new Govt.

As the P.M., A.V. A[lexander] and the V. all concur in wanting me to scrap

¹ Not traced. Sir S. Cripps had evidently sent No. 340 to Lord Pethick-Lawrence.

² Sir S. Cripps' letter to Pandit Nehru has not been traced.

the notes,³ for the Parly. debate, about powers of the I.G. I am abandoning the idea.

Yours,

PETHICK

³ See No. 271, note 1.

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Draft by Mr Abell¹

R/3/1/125: ff 125-6

1 October 1946

Basis for discussion between Pandit Nehru and Mr Jinnah

Long-term plan.

1. Congress accepts the position that Provinces must necessarily enter the sections.

2. Congress proposes, and the League agrees, that disputed points of interpretation of the Statement of the 16th May arising in the Union Constituent Assembly, including questions whether group constitutions encroach on the Union field and *vice versa* shall be referred to the Federal Court whose decision shall be binding. It will be open to the sections, who will decide their own procedure, to accept a similar convention.

Short-term plan.

What follows is subject, so far as the League is concerned, to acceptance by the All-India Muslim League Council of the scheme embodied in the Statement of the 16th May and the assurance given in the Viceroy's broadcast² and by the Congress as the result of negotiations.

The Congress on their side have always been willing and anxious to secure a genuine coalition with the Muslim League and welcome their co-operation in the Interim Government.

1. The parties will seek to work as a team in the Interim Government and rely on friendly discussion rather than debate in the Cabinet to reconcile their differences, and to prevent the bringing forward of proposals likely to raise communal issues in an acute form.

2. The parties will accept an equitable distribution of portfolios between them.

3. Pandit Nehru will continue as Vice-President of the Cabinet. Mr Jinnah, or if he does not serve in the Cabinet, another representative of the Muslim

League will be Vice-President of the C[onstitution] C[ommittee of] C[ouncil]. A representative of the League will be Leader of the House in the Council of State.

4. Should it be necessary in future to fill a vacancy among the minority representatives (not including the Scheduled Caste seat) the leaders of both major parties will be consulted.

5. The principle on which the Cabinet will be reformed is that each major party is entitled to choose its own nominees, but in order to secure that the Cabinet works as a team, the leaders of the two major parties will discuss their lists together before submission of them to the Viceroy. In view of the paramount importance to the country of communal harmony, the Congress have decided to forego their right to nominate a Nationalist Muslim in the Interim Government at the Centre. The Muslim League for their part agree to waive their objection to the inclusion of non-League Muslims in Provincial Cabinets.

6. Having reached agreement, the policy of both parties will be to hasten the day of Independence and to work together in full co-operation so that India may be held steady and the lot of the common man be continuously improved, while the Constituent Assembly works out the constitutional future of the country.

¹ Mr Abell noted on the file copy: 'Drafted by me. Shown by R[eferrals] C[ommissioner] to Pt Nehru and *not* enthusiastically received.'

² No. 199.

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Field Marshal Viscount Wavell to Mr Abell

R/3/1/125: ff 127-9

1 October 1946

Note for P.S.V.

1. It is obvious that it is no use trying to squeeze the Congress any further on the nationalist Muslim issue; and any attempt to do so will only harden their attitude. I must therefore go back to Jinnah and press him to abandon the point. The question is how best to do it.

2. The best tactics for Jinnah and the Muslim League are now undoubtedly to accept the position about the nationalist Muslim, and to come in without condition. If I could induce Jinnah simply to give me five names for the Muslim seats, I think he would be in a strong position, and that I could help him secure very good terms.

If I could get Jinnah's names without condition, I could send for Nehru and tell him I had the Muslim League names, and ask him to give me his names for the five Congress places, assuming that the Scheduled Caste representative and the other minorities will not be changed.

3. When I had got these I could re-construct the Cabinet, by one of three methods:

(a) by trying to induce Jinnah to see Nehru and settle it direct with him; this would be the best method, but might be unacceptable to Jinnah and might lead to a break down when the two met;

(b) to get Nehru and Jinnah to meet me together and settle the matter with them over a table; I think this would be the next best method;

(c) to make out my own proposals for the re-formation of the Cabinet, and then to discuss them separately with Nehru and with Jinnah, to arrive at any necessary modifications; this method would probably be the most attractive from the Muslim League point of view, but it would not be welcome to the Congress.

4. If I had to adopt method (c) above, my plan would be to make out the portfolios, and then discuss them first with Nehru, allowing him to suggest modifications as regards the Congress places, but not as regards the portfolios allotted to the League; and after that to discuss them in the same way with Jinnah.

I should also lay down that Nehru was to remain Vice-President but that the leader of the League should be Vice-Chairman of the C.C.C.; that the Congress should supply the Leader of the Assembly and the League the Leader of the Council of State. I should announce that I proposed in the event of a vacancy in any of the Minority seats to consult both leaders on filling it. I should say that I wished them to work as a team and for the leaders to consult together on any issues to be brought before Cabinet that might be contentious, so as to avoid any matter on which there might be a split to come before Cabinet.

This method would probably cause resentment in the Congress, but I doubt whether they could actually go out over it.

5. It is now necessary to decide the action to be taken. I doubt whether it is any use my seeing Nehru again; I think I should approach Jinnah direct, either verbally or by letter.

The line of approach would be something to the following effect:

I have failed to secure any concession from Congress over the issue of the nationalist Muslim; I cannot press them further on this, since I do not believe that Jinnah is on good ground in contesting it.¹

It is in the obvious interest of the Muslim League to come into the Government at once and unconditionally. If the Congress has, as Mr. Jinnah suspects,

the object of disrupting the Muslim League, this is the most effective way to defeat it and to protect Muslim interests. It will give the Muslim League the prestige of being in the Central Government; if the Congress nominate a nationalist Muslim in their quota, the League will not merely be on a parity with caste Hindus but will out-number them.

On the distribution of portfolios, I will see that the Muslim League are fairly treated; but I think that the actual distribution of portfolios is of far less importance than that the League should be inside the Government and negotiate from inside.

I think it is right that the Congress leader should remain Vice-President and preside in my absence; but in the absence of both myself and the Congress leader, the leader of the Muslim League would act as Vice-President. I would appoint the leader of the League party as Vice-Chairman of the Co-ordination Committee of Council, which is a very important body, and will give him as much influence as the office of Vice-President. I will arrange that while the leader of the Congress is Leader of the House in the Assembly, the Leader in the Council of State shall be a Muslim.

On the matter of voting on major communal issues, I do not think that any written or oral convention is necessary or would be really effective. I should hope that discussion outside the Cabinet between the leaders of the two parties would prevent any really contentious major communal issues coming before Cabinet in a form unacceptable to either of the main parties.

Finally, the Muslim League always has the last resort of leaving the Cabinet if they are not satisfied with their treatment. They would obviously be on much firmer ground, both in the eyes of their own followers and of the world, if they left the Government on a really vital issue, after giving Interim Government a fair trial than if they refused to come in on the issue of the nationalist Muslim on which they would have little sympathy.

As regards the long term issue, I should explain to Mr. Jinnah that he has to all intents and purposes gained his point, that Congress are prepared to meet him on the main issues which he put to me; and that he will have the opportunity after coming into the Government to reassure himself on these matters before calling his All-India Council to withdraw their first decision.

Finally I should impress on Mr. Jinnah the absolute necessity of acting at once. The present period of negotiation has already gone on for nearly three weeks and is simply increasing the communal tension and the unrest. I hope that he will be able to give me a decision within 24 or at least 48 hours.

On the whole, I think it will be better to do this orally; though I think there would be no harm in having a letter drafted which Mr. Jinnah might take and show to his people.²

¹ Lord Wavell added in the margin: 'He will forfeit sympathy if he breaks on this issue.'

² Lord Wavell added the note at the end. 'J. must put to his Cte.'

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*Field Marshal Viscount Wavell to Lord Pethick-Lawrence**Telegram, R/3/1/125: f 130*

MOST IMMEDIATE
SECRET

NEW DELHI, 1 October 1946, 4.45 pm
Received: 1 October, 2 pm

No. 2082-S. It has now become clear that Congress are unwilling to give way on the Nationalist Muslim issue or to make any kind of gesture to assist in getting the League into the Interim Government. All they say is that if Jinnah agrees to come in, they will make things easy for him. But they give no sign of doing so and I am convinced that at least a considerable section, including Gandhi, wish to keep Muslim League out if possible.

2. There is no use in keeping the negotiations hanging on any longer and I shall see Jinnah tomorrow and try to persuade him that his best policy is to drop the Nationalist Muslim issue, agree to come into the Interim Government and hand me his five names. If he comes in, his position inside the Cabinet will be strong and I shall hope to be able to assist him in securing a satisfactory understanding with the Congress. When he calls the All-India Muslim League Council to reconsider its attitude to the Constituent Assembly, about which he seems now to be satisfied, the Council can call the League representatives out of the Interim Government if by that time a reasonable understanding has not been reached.

3. It is doubtful whether Jinnah will accept my proposal and give way on the Nationalist Muslim issue. If he does not, we shall have reached a crisis and it will be clear that the plan evolved by the Mission has no chance of success. I think I should then fly home at once for consultation with you and with HMG as already suggested. A quick announcement to this effect would be desirable to keep the country steady.

4. As a preliminary I suggest you secure provisional sanction to the appointment of Colville to act for me and ask him whether he could fly out for a short period, if necessary extending his leave accordingly.

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Lord Pethick-Lawrence to Mr Attlee

L/P&J/10/75: ff 166-7

TOP SECRET

INDIA OFFICE, 1 October 1946

Secretary of State's Minute: Serial No. 65/46

Prime Minister.

I attach for discussion this evening¹ a draft of the reply² which I suggest we should send to the Viceroy's telegram No. 2082-S³ which I sent to you this afternoon under my Minute No. 64/46.⁴

2. We were all agreed at our last meeting⁵ that if the Viceroy's attempt to secure a settlement failed he should come here. We also contemplated that Nehru and Jinnah, with two or three of their supporters if they so desired, should also be asked to come. I am very doubtful myself whether Nehru will be willing to come and clearly we should not have Jinnah here alone. I therefore think that we should get the Viceroy's view before we reach a final decision on this but that we can agree to the Viceroy coming himself. In any case we should want him here some days before Nehru and Jinnah arrived.

3. The normal practice is for the senior Presidency Governor to act as Governor-General when the Viceroy is out of India. Colville is the senior Presidency Governor but he is at present on four months' leave in this country. In the circumstances it would be possible to appoint Burrows to act. I was attracted by this idea but there would be great difficulty in finding anyone capable of acting as Governor of Bengal. The situation there is very tense and on the whole I think it would be safer not to move Burrows.

PETHICK-LAWRENCE

¹ A note on the file of the Prime Minister's Private Office indicates that Mr Attlee saw Lord Pethick-Lawrence and Sir S. Cripps at 7 pm but there is no record of the meeting on the file. (Information supplied by Prime Minister's Office, 10 Downing Street)

² This draft is not printed; see No. 392, note 2.

³ No 389. ⁴ L/P&J/10/75: f 169.

⁵ See No. 354 for the record of the meeting.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/PO/10/23

PRIVATE AND SECRET

THE VICEROY'S HOUSE, NEW DELHI,

1 October 1946

Thank you for your letter of the 20th September¹ in which you gave me some interesting information about Burma. This was followed by the announcement that Rance had secured an all-party government. I should imagine that this does not mean the end of his troubles, and I saw a report of what seemed rather a remarkable speech by Aung San made soon after he had joined the Government, in which he urged the police strikers and others to stick to their claims.

2. I am glad to hear that Foreign Office were not unduly perturbed about the proposals to upgrade the representation of India in Washington and to make an approach to Molotov about food.

3. I do not think I need say much in this letter about the political negotiations as I have kept you in touch by telegram, and probably the crisis will have been reached before my letter arrives. The nationalist Muslim issue is an extraordinarily intractable one. On the surface it looks easy enough, but underneath there is the clash of the personalities of Gandhi and Jinnah, and on this occasion I am afraid Gandhi is determined to leave Jinnah with the choice between humiliation and exclusion from the Government. The Congress have not lifted a finger to help me in getting Jinnah into the Interim Government, and though I think they are right in theory on the nationalist Muslim issue they are dangerously complacent about the probable results of leaving the League out. I am afraid that I have come to regard Gandhi's non-violence as almost pure hypocrisy, he is certainly pursuing a course deliberately which he knows and admits will lead to much bloodshed.

4. Nehru looks very tired, and he told me that his main object in going to Allahabad last weekend was to get a good night's sleep in the train each way. I understand he is working extremely hard, and a few days ago he was trying to secure a stenographer who would work for him from 8 to 11 p.m. each day. Like most Indian politicians when they first come into office, he is besieged by callers who make all sorts of unreasonable demands on him and on his time. He has a mercurial temperament, and unless he is able to organise his life so as to reduce the strain on him, I foresee a breakdown. I have done all I can to see that he is provided with a good staff, and he has an excellent Principal Private Secretary and another Private Secretary. I think they could set up

defences for him against the stream of visitors and organise his work, but it will take a week or two at least before he can be persuaded to do it. I shall take an opportunity to speak to him on the subject. I have already advised some of the other Ministers to restrict their "calling hours".

5. In case you did not see a full report of Nehru's press conference about foreign policy I enclose cutting.² I think he did quite well, if he felt he had to hold a conference at this time, and he certainly got a good press. Much of what he said would have horrified the Government of India and the India Office only a short time ago, but we are all getting hardened against such shocks. And he resisted many opportunities to make points against the British.

6. I think it will amuse you to compare two Press cuttings which I have sent in this bag. *Dawn's* principal headlines on the 1st October were: "Deputation of Tribal Maliks meets Jinnah—Unflinching Loyalty to League expressed—Hindu domination not to be tolerated." On the same day the principal headlines in the *Hindustan Times* were: "Frontier Tribes solidly behind Congress." Nehru proposes to visit the Tribal areas shortly, and Caroe takes a gloomy view of the probable results;³ but I have told him⁴ that we cannot prevent Nehru from visiting the Tribal areas when he is Member for External Affairs and shall have to do the best we can about the consequences.

7. Further evidence of the need to arrange for compensation on retirement for officers who have to leave because they are *persona non grata* with Congress is provided in a recent letter from Dow, who says that an officer of the Indian Police of the name of Ten-Brocke, who was D.I.G. of the Northern Range in Bihar in 1942, and was particularly vigorous in suppressing the rebellion, has become the focus of most of the public agitation in that Province against the "1942 officers". The Governor thinks that if he could go on leave preparatory to retirement it might make things much easier for everyone concerned.

8. I commend to your notice three representations from the Indian Civil Service Central Association which have been forwarded to you on the subject of (1) alternative employment, (2) leave on termination of covenants, and (3) repatriation allowance.⁵ It seems that these requests have been supported by other Associations of members of your Services, and I hope you will consider them favourably. I hardly ever meet a member of the Services now who does not raise the subject of terms of retirement and compensation. An Officer of the N.-W.F.P. who lunched yesterday said that the Services talk of little else nowadays—he certainly ran true to form.

¹ No. 346.

² Not printed in L/PO/10/23. The Press Conference was held on 26 September 1946.

³ See No. 382. ⁴ See No. 384

⁵ These representations are on L/S&G/7/899, 907 and 908.

[Para. 9. on the need for an additional petrol ration for civil servants on leave, omitted.]

10. I was very glad to see from an official telegram⁶ to External Affairs Department that His Majesty's Government had decided to overrule the military authorities in Java about the supply of trucks. I am most grateful, and hope we shall now be able to get ahead with this quickly as our food situation here is most precarious.

⁶ See No. 369, note 2, for details of the tel. sent to G. of I., Food Dept.

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Lord Pethluck-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&J/10/75: ff 157-8

MOST IMMEDIATE
TOP SECRET

INDIA OFFICE, 1 October 1946, 10.50 pm
Received: 2 October, 5 am

No. 17720. Your telegram 2082-S.¹ We agree that you should in seeing Jinnah take the line that you propose. But if you fail to move him we feel strongly that you should make one further approach to Congress somewhat on the lines of my next succeeding telegram. It seems to us important that final discussion of this question should be with Congress who are in office, rather than with Jinnah and that before you break off discussions you should give them a warning that unless they can make some move you will have to come home for consultations.

2. We agree that if these final moves come to nothing you should come here as soon as possible and that Colville should act for you if he is willing. Announcement of your visit here cannot of course be made until after King's approval has been obtained. This can be done immediately we know that situation definitely requires it.

3. Meantime we should be glad to have your views on our suggestion that if your conversations fail Nehru and Jinnah should be invited to come to London with two or three of their colleagues for discussions with us and yourself. I myself am doubtful whether Nehru would accept such an invitation and it would be essential to get his agreement first as we should not wish to have Jinnah here alone. If this step were agreed upon we contemplate that Nehru and Jinnah should arrive some days after yourself and invitations to them need not be extended until after announcement of your own visit as we should wish you to come in any case.

4. I am communicating at once with Colville and will telegraph when I know how soon he could reach India.²

¹ No. 389.

² The draft telegram sent to Mr Attlee with No. 390 was similar to paras. 2-4 of this telegram. Para. 1 of the draft telegram began: 'H.M.G. agree that if your interview with Jinnah tomorrow fails to secure entry of Muslim League into Interim Government you should come home as soon as possible for consultation.' L/P&J/10/75: f 168.

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Lord Petthick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&J/10/75: ff 154-5

MOST IMMEDIATE

INDIA OFFICE, 1 October 1946, 11 pm

TOP SECRET

Received: 2 October, 6 am

No. 17721. Following is telegram referred to in para. 1 of my immediately preceding telegram.

2. We suggest that if your talk with Jinnah fails you might see Nehru and Gandhi and possibly Patel also and put the matter to them on the following lines:-

That the responsibility lies with them to do their utmost to arrive at an accommodation with Jinnah. They are in the Government already and it is up to them to take the necessary action to persuade the Muslim League to join them and to come into the Constituent Assembly. It can only redound to the strength and good name of Congress if now they will make an offer to Jinnah either by a public statement or by direct communication stating that while they adhere to their principle of their right to include whom they like among the Congress members of the coalition yet they are so anxious for the Government of India to see a true cooperation between the parties that for the purposes of the present interim Government they are prepared not to nominate a Muslim representative among the Congress members provided the Muslim League will come into the Government. This is a time for great statesmanship and there could be no more statesmanlike action on Congress' part and it would be acclaimed throughout the world as such if they were now to take it. The alternative and only alternative is for you to consider whether there remains any chance of success for the plan evolved by the Cabinet Mission and that you will have to return here to report in person and to consult upon the next steps to be taken. The matter cannot be delayed further owing to the state of tension in India and that therefore you must ask for a final decision quickly. You hope that this decision will be such as you have suggested.

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*Sir D. Monteth to Lord Pethick-Lawrence**L/WS/1/1045: ff 250-1**1 October 1946*

Secretary of State.

The two attached papers¹ circulated by the Chiefs-of-Staff are to be considered in the Defence Committee on Wednesday afternoon.² They are reviews by the Commander-in-Chief, India, and the Chiefs-of-Staff of the strategic importance of India in the Commonwealth Defence system.

The War Staff agree with the military views expressed in these papers and to the lay mind it certainly appears as if the removal of India from effective participation in Commonwealth Defence would have devastating effects. The Commander-in-Chief's paper is particularly enlightening in this regard. The broad result would appear to be that India would be easily overrun by Russia if we were at war with her, and that Russia would have good reasons for doing this, firstly because it would outflank our position in the Middle East where the oil supplies are essential to us, and secondly because there are important deposits of thorium in Travancore which is at present one of the most important ingredients for the manufacture of atomic bombs. If India were so overrun, Ceylon would go too, air communication with Malaya, Australia and New Zealand would only be possible with long range aircraft, and sea communications would probably become so difficult that it would be more feasible to support our position in the Far East via the Pacific than via the Indian Ocean. In short, it would seem that Australia and New Zealand would have, in effect, to rely on America for strategic support since we could not reach them through the Pacific unless the United States were friendly, while, if the United States were an ally, it would be more economical for her to give assistance in that area and for our resources to be used elsewhere.

The directive to the Cabinet Mission³ included among the essentials to be provided for by Treaty or agreement that satisfactory provision must be made for the defence of the Indian Ocean area. So far as I know this subject was not discussed with the Indian leaders. Paragraph 22 of the Statement of May 16th said: "It will be necessary to negotiate a Treaty between the Union Constituent Assembly and the United Kingdom to provide for certain matters arising out of the transfer of power", while paragraph 4 of the Statement of 25th May said that "His Majesty's Government would recommend to Parliament the action necessary for the cession of sovereignty to the Indian people subject only to two matters: adequate provision for the protection of minorities and willingness to conclude a Treaty with His Majesty's Government to cover matters arising out of the transfer of power." It is not perhaps finally excluded

but it is certainly arguable whether by virtue of these provisions a satisfactory military alliance could be made a condition of according independence to India. These papers raise the question whether the matter can be left open.

The Joint Planning Staff of the Chiefs-of-Staff have been considering what provisions it is desirable to secure in a military Treaty with an independent India. The Chiefs-of-Staff have not yet completed their consideration of this matter, but the broad conception which appears to be emerging in these discussions is that there should be a Treaty in general terms providing for mutual assistance and that the more detailed provisions should be made under this Treaty by agreement between the military staffs. To be satisfactory, however, the provisions will have to be pretty far-reaching and must indeed extend forward the formulation of a common policy in External relations.

The first essential from our point of view is that India itself should be capable of defending itself and should, in fact, be committed to resist any attempt by a hostile power to seize India. For this purpose it is necessary that the Indian Army be kept efficient and modernised and of sufficient size to deal with the situation with some military support from us. To ensure this, India would have to accept a proportion of British officers for the Indian forces for some time to come, technical personnel for the Indian Army, and in time of war some additional British units particularly in technical branches. India would also have to agree to accept British air assistance which could only be given effectively if a ground organisation is maintained in peace-time on a sufficient scale; this could only be done at present by seconded R.A.F. personnel. India would also have to provide and maintain bases for long distance target bombing and, of course, maintain port and communication facilities sufficient to enable additional forces to be quickly introduced and maintained in war-time. Thus, the broad picture is that India would be mainly responsible for land defence and the provision of means whereby we should give her major assistance in the air and at sea and subsidiary technical assistance on land. It would be fundamental to a satisfactory agreement on this basis that the Indian Government should be prepared to spend sufficient on Defence to ensure that the Indian Army was large enough and maintained on a high enough standard to engage effectively in modern war. It has, however, long been the cry of Indian Nationalists that Defence expenditure even on the pre-war level is beyond India's capacity.

It would be best, of course, from our point of view if India undertook to come into any war in which we were engaged. But it is very unlikely that she would undertake this in advance. She might, however, be induced to undertake to enter any war affecting us in the Middle or Far East, or at any rate when a threat to her own territory arose in those areas. This however involves a common outlook by which the existence or degree of the threat could be assessed.

¹ Enclosure II to No. 26 and No. 254.

² i.e. 2 October 1946 (No. 398).

³ Vol. VI, No. 507.

The main advantage of such a Treaty to India would be that if attacked she would be sure of our support which in effect, though not in form, would mean the support of the Commonwealth. To us this looks like a very big advantage but I venture to think that it will not look nearly so attractive to those Indians who are likely to be in control in the next 10 or 15 years. What they will see most clearly is that such an agreement will ensure that they are brought into any war in which we get involved and what they will hope to do is to maintain a neutral attitude. It will probably not be clear to them that they are such an attractive possession to any power which is in conflict with the Commonwealth that they are bound to be drawn in in any case. Moreover, they may be a little sceptical about our ability to come to their aid in the early stages of a conflict with sufficient forces to be effective. They have a clear memory of the scanty resources which were available for the defence of India and Burma against Japan. Moreover they may say with truth, that if attacked India is entitled to our assistance under U.N.O.

I do not think, therefore, that it can be too readily assumed that we shall be able to get a Treaty with an independent India which will put India back into the Commonwealth Defence system satisfactorily to our needs. In actual fact the kind of arrangement which there is perhaps the best chance of making with India is the sort of regional Defence agreement which is contemplated under the U.N.O. Charter, Article 52, and to approach the subject in that form might be the best course politically. But to seek agreement from U.N.O. for such an agreement would quite probably produce a conflict with the Russians who might demand a share in the Defence arrangements for the Indian Ocean area.

Apart, however, from the possible effects on the Commonwealth Defence system of the orderly transfer of power to a new independent Government of India, the subject dealt with in these papers has an important bearing on the present political situation and *vice versa*. The Chiefs-of-Staff have pointed out that no defence arrangements would be of much value unless India were internally stable. Consequently, the greatest risk from the military point of view is that India may fall into a state of internal disruption, in which condition, if we had withdrawn, one side or the other would quite conceivably invite foreign assistance with the result that some new power acquires a dominant position in India as a result of its internal divisions. Alternatively, India might be gradually weakened by internal strife so that she would be powerless to put up any resistance in war-time if one of the combatants sought to occupy her territory. These considerations are relevant to the question which may have to be decided before very long of how far we should proceed with the Congress Party alone in the face of increasing hostility and growing violent opposition from the Muslims, assuming that that does begin to develop.

You recently put it to the Prime Minister⁴ in connection with the Viceroy's breakdown Plan, that the Dominion Governments ought to be warned now of

the possibility that we may be compelled by circumstances to leave India without a constitutional settlement being achieved. The Prime Minister did not, I understand, comment on that point in his reply. It would seem, however, that these papers raise the same question from the strategic angle and I suggest that you might raise the point in the Defence Committee.

D. T. M.

⁴ See No. 370.

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Note by Field Marshal Viscount Wavell

R/3/1/125: ff 139-41

TOP SECRET

2 October 1946

NOTE OF INTERVIEW WITH MR JINNAH, 2ND OCTOBER 1946

I told him that I had failed to secure any concession from Congress over the nationalist Muslim issue, and that I could not press them further over this. As I had always told him, I did not think that he was on good ground in contesting this issue; and that he would forfeit the undoubted sympathy that he has in a great many quarters if he allowed negotiations to break down on this particular issue.

I said that it was in the obvious interest of the Muslim League to come into the Government at once and unconditionally. If the Congress has, as Mr. Jinnah seems to suspect, the object of disrupting the Muslim League, this is the most effective way to defeat it and to protect Muslim interests. The Muslim League, with the prestige and influence of being in the Central Government, will be in a far stronger position than they are now; if Congress do nominate a nationalist Muslim, the League will be not merely on a parity with the caste Hindus in Congress, but will out-number them.

I said that on the distribution of portfolios and other issues I would see that the Muslim League got fair treatment. My strong advice to Mr. Jinnah therefore was to give me the five names for the places open to the Muslim League at once and to leave other issues to be settled afterwards. The present negotiations had gone on already for some weeks and were merely increasing the communal tension. We must get a decision at once.

Mr. Jinnah said nothing at all on the nationalist Muslim issue and did not attempt to argue it; but he said that if he was to have any chance of success with his Working Committee he must have some success to show them on the other points he had raised, e.g. the safeguard against being outvoted on major communal issues, the Vice-Presidency, and the question of Minorities. We had

a certain amount of discussion, mainly on the matter of the Vice-President, which was obviously the one to which Jinnah attached most importance, from the psychological point of view. His argument was that with Nehru holding the office of Vice-President the Congress were in a superior position and that made the Muslim League inferior in status. I explained that the only function of the Vice-President was to preside at Cabinet meetings in my absence, and that I could arrange for the leader of the Muslim Party to be appointed as Vice-Chairman of the C.C.C., which was really a more influential position. I could assure him on the matter of any future appointment of a Minority representative that I would consult both parties; and that on the matter of major communal issues, I did not think that any written convention, as he himself had agreed when we last discussed the matter, would be really effective, but that I thought I could guarantee that no such issue would come before the Cabinet without thorough prior discussion outside.

Jinnah's main line was that he must have something with which to convince his Working Committee that he had not been defeated on every issue and was coming into the Government as a subordinate to the Congress. He therefore kept harping on the Vice-Presidency in particular, asking whether it could not be arranged that it should be held alternatively for three-monthly periods.

Finally, it was arranged that Mr. Jinnah should summon his Working Committee as soon as possible; in the meantime he would send me a note setting out the points which we had discussed, and asking for my decision on them which he could put before his Working Committee.

We hardly touched on the long-term issue, Mr. Jinnah said that that could wait on the decision about the entry into the Interim Government. If this was secured there would obviously have to be discussions between the parties about the long-term issue, so that he could put it before his Council.

Mr. Jinnah was friendly and reasonable throughout, and I got the impression that the League are anxious to come in if their amour-propre can in some way be satisfied.

396

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/125: f 142

MOST IMMEDIATE
SECRET

NEW DELHI, 2 October 1946, 6.20 pm
Received: 2 October, 4 pm

No. 2085-S. [Paras. 1-6, summarising Lord Wavell's interview with Mr Jinnah (see No. 395), omitted.]

7. In view of the above you will not require reply at present to your telegrams 17720 and 17721.¹

8. I am doing what I can to damp down press comment and keep state of negotiations secret during period before Working Committee meets. I hope you will do the same as far as possible with British Press.

¹ Nos 392 and 393.

397

Field Marshal Viscount Wavell to Pandit Nehru

R/3/1/125: f 146

2 October 1946

Dear Pandit Nehru,

I saw Mr. Jinnah this morning and he agreed to call his Working Committee as soon as possible to discuss outstanding points about the Interim Government.¹

2. I should be very grateful for anything you and your party can do to restrain press comment during the period from now until the Working Committee meets. I am sure you will do all you can about this.

3. I may have some points to discuss with you when we next meet.

Yours sincerely,

WAVELL

¹ See No 395

398

Cabinet

Defence Committee. D.O. (46) 26th Meeting, Minute 1

R/30/1/8/: ff 97-9

Those present at this meeting held at 10 Downing Street, S.W. 1, on 2 October 1946 at 4 pm were: Mr Atlee (in the Chair), Mr Herbert Morrison, Lord Pethick-Lawrence, Mr G. H. Hall, Mr John Dugdale, Mr A. G. Bottomley, Mr G. de Freitas, Sir Orme Sargent, Sir David Monteath, Field Marshal Viscount Montgomery of Alamein, Vice-Admiral Sir Rhoderick R. McGrigor, Air Vice-Marshal Sir William Elliott, General Sir Hastings L. Ismay, Mr M. E. Dening

India—Strategic Importance

THE COMMITTEE had before them:—

- (i) Extracts from a memorandum by the Chiefs of Staff on the strategic importance of India.¹
- (ii) An appreciation by the Commander-in-Chief, India, on the value of India to the British Commonwealth and setting out strategic advantages and disadvantages that would obtain should India elect to become an independent sovereign state outside the British Commonwealth.²

LORD MONTGOMERY said the Chiefs of Staff wished to emphasize the importance of taking every possible step to persuade India to remain within the British Commonwealth. The strategic advantages of her so doing were beyond question. The Chiefs of Staff agreed generally with the appreciation prepared by the Commander-in-Chief, India.

In the event of India becoming an independent Sovereign State, it would be strategically desirable that the United Kingdom should maintain the prime interest in Ceylon, Burma and the Andaman and Nicobar Islands rather than that they should be tied on matters of defence to India. India would presumably assume responsibility for her own security against aggression and for the security of those countries adjacent to her through which her security might be endangered.

SIR DAVID MONTEATH said the Andaman and Nicobar Islands were at present administered by India in the same way as the Central Indian Government administered the Provinces of India. It would require separate negotiation should it be desired to supplant Indian administration by that of the United Kingdom.

THE SECRETARY OF STATE FOR INDIA said he was of the opinion that if India remained within the Commonwealth it would be possible to achieve those military requirements set out in the Report by the Chiefs of Staff. If, on the other hand, India elected to become an independent Sovereign State, the negotiations to obtain our strategic needs would require very careful handling and he foresaw many difficulties. He was not optimistic on which way the decision of the new Indian Government would turn. The present attitude of the Indian politicians was uncertain. He thought, however, they might well request the retention of some British troops in India for internal security reasons which would go some way to achieving our strategic needs.

SIR DAVID MONTEATH said that some concern was felt that even if India remained within the Commonwealth, she might shape her external and defence policy on the lines of that adopted by Eire. Such a negative policy would fall short of achieving our military needs and it might be that we should in this case require some form of treaty to obtain our strategic requirements. It

was difficult to take any positive steps until it was known what decision the new Indian Government would take.

THE LORD PRESIDENT said the future of India was causing much anxiety and he had thought that, apart from the necessity of presenting our strategic needs to the new Indian Government, it would be necessary to give them political advice and guidance to assist them in setting up their own form of Government. Such advice might come best in some informal manner. Questions of defence could be included in any advisory political contacts which we might have with the Indian politicians. He suggested that the India Office might be invited to examine this point.

THE PRIME MINISTER, whilst agreeing with the Lord President, said that Indians of all classes had very great confidence in the Commander-in-Chief, India. He felt that General Auchinleck would not neglect any opportunity of educating and helping the Indian Ministers who had very little knowledge or experience of defence problems.

It would be very difficult at the present time to take any positive action, as India would be chary of accepting Imperial obligations during the transition stage. Whilst India would require every assistance we could give, he felt it would be wrong to appear to coerce her in any way. In the long run he thought that India would accept responsibility for the security of regions immediately adjacent to her frontiers, but we should be prepared for her to demand the withdrawal of her troops from garrison duties outside India.

He thought that the Committee were generally in agreement that there was little executive action that could be taken at this time and that it would be sufficient to take note of the appreciations by the Chiefs of Staff and the Commander-in-Chief, India.

THE COMMITTEE:—

Took note of the appreciations by the Chiefs of Staff and the Commander-in-Chief, India.

¹ See No. 254.

² Enclosure II to No. 26.

399

Sir A. Clow (Bombay) to Field Marshal Viscount Wavell (Extract)

L/P&J/5/167: ff 37-8

CONFIDENTIAL

GOVERNMENT HOUSE, BOMBAY, 3 October 1946

Report No. 71

Dear Lord Wavell,

This letter covers the second half of September 1946.

2. The period has been marked by fairly acute communal tension in Bombay and elsewhere. In Bombay the earlier part of the fortnight was comparatively quiet, though stabbing incidents never ceased. I did an extensive round on the 18th, meeting detachments of troops and police. The number of the former on duty has remained at about 15 platoons. Towards the end of the month stabbings showed a sudden increase. The total casualties for the sixteen days from the 15th to the end of the month were 67 killed and 173 injured, bringing the totals since the trouble began to 329 killed and 983 injured. The trouble is almost entirely confined at present to isolated stabbings and bouts of stone-throwing. The police have very rarely opened fire and the casualties from this cause are apparently only 2 injured. In Ahmedabad also there was a small increase in incidents in the closing days of the month, with a resort to the use of primitive and not very lethal bombs.

3. In both places the recrudescence is attributed to the spreading of false reports and particularly the circulation of a spurious pamphlet which purported to be a disclosure by an ex-Muslim League of plans prepared under Jinnah's direction. These included the killing or conversion of all Hindus, the destruction of all their places of worship, etc. The pamphlet is suspected to be a Mahasabha effort: it has certainly been circulated through extreme Hindu agency. And the main impulse in keeping up the disturbances is now Hindu. Of the 67 killed in Bombay 41 were Muslim.

4. A sinister development is the economic attack on the Muslim community, and competent observers regard the stabbings as, in part at least, directed to that end. One object, it is believed, is to discourage Muslim mill-hands and others from continuing at work, and Hindu mill-hands have been induced to object to Muslims, who are generally a very small minority, working with them. The Mahasabha and the Arya Samaj are aiding and encouraging Hindu milkmen to desert their Muslim masters, who own many of the cattle, and there are other indications of efforts at an economic boycott.

5. The most disturbing feature of the whole situation is the aggressive

attitude of many Hindus. The Muslims are by now tired of the trouble and probably sorry that they started it, but despite the dislocation of business, the general feeling of insecurity and the serious inconvenience to the public, there appear to be many Hindus of influence who are anxious to keep the fires burning. The Ministry which is attacked on the Muslim side for giving insufficient protection, is assailed on the other side by the press and by individuals for not being firmer with the Muslims. The Mahasabha apparently sees a chance of recovering ground with the Hindu electorate and dealing a blow to Muslim interests at the same time, and even the Provincial Congress leaders (partly for personal reasons) tend to be critical of the Ministers. There is a widespread feeling that serious trouble with the Muslims is bound to come sooner or later, and this is shared even by those who, like the Ministry, are very anxious for peace. Beliefs of this kind encourage the idea that the more the Muslims can be injured or intimidated now, the less their capacity for harm will be later when the show-down comes. At least one Hindu paper has bluntly informed its readers that India, like China, has to face a civil war and that any one who tries to minimise the fact commits a grave blunder.

6. All this is not calculated to make Muslims more anxious for a reconciliation, though it may make them more reluctant to start trouble in predominantly Hindu areas, and they have been trying to make what political capital they can out of it. A special effort seems to have been made to alarm the Pathans of the N.W.F.P. and to use the trouble here to convince them that the Congress are their enemies. A small deputation came here to investigate and I saw them yesterday after they had seen the Ministers. One of them assured me that they had been Congressmen and that he himself had been Private Secretary to Abdul Ghaffar Khan. Their main demand was for more vigorous police action, and they put their case moderately. Although they had found that the wilder rumours of massacres of Pathans were untrue, they pointed out that while the Pathans had not taken any very active part in the killings, the Muslim fatalities included a high proportion of Pathans. In Ahmedabad, where most of the Pathans have Hindu masters, they publicly dissociated themselves from the quarrel, but they are now beginning to interest themselves, and there is a tendency to substitute Sikhs or Gurkhas for them as watchmen.

7. There is no great expectation of a happy outcome at Delhi and, what is much more disquieting, no widespread desire for a settlement among leaders here. Hindus, whose vision tends to be limited to the province, feel capable of dealing with any trouble from the Muslims. They have a dangerous feeling of superiority at present, and Jinnah's allegation that the Hindus are out to crush the Muslims is not quite so false as it formerly was. On the Muslim side, there is perhaps more desire for a period of respite such as an agreement would give, but I see little evidence of any anxiety for friendship or of faith that an

agreement at Delhi would give them a stable position. In short, there is an alarming amount of hatred on both sides and an almost entire absence of mutual trust, so far as the politically active sections are concerned.

8. There is of course a large and less vocal section (including nearly all officials and a good many business men) who would warmly welcome an agreement at Delhi, and many of them realize that nothing but injury to both sides can result from a final fissure. My own view, as I indicated in the memorandum I sent separately last week,¹ is that it is vital for the Hindus to be generous. One can only hope that the temper of those here, who know little of the predominantly Muslim areas, is not too closely reflected at Delhi.

¹ No. 374

400

Mr Jinnah to Field Marshal Viscount Wavell

R/3/1/125: ff 153-4

10 AURANGZEB ROAD, NEW DELHI, 3 October 1946

Dear Lord Wavell,

At the end of our last interview on October 2, 1946,¹ it was agreed that I should finally put before you the various proposals that emerged out of our discussions, for your consideration and reply. Accordingly, I am enclosing herewith the various proposals that have been formulated by me.

Yours sincerely,

M. A. JINNAH

Enclosure to No. 400

1. The total number of the members of the Executive Council to be 14.
2. 6 nominees of the Congress will include one Scheduled Castes representative, but it must not be taken that the Muslim League has agreed to, or approves of, the selection of the Scheduled Castes representative. The ultimate responsibility in that behalf being with the Governor-General and the Viceroy.
3. That the Congress should not include in the remaining 5 members of their quota a Muslim of their choice.
4. Safeguard:- That there should be a convention that on major communal issues, if the majority of Hindu or Muslim members of the Executive Council are opposed, then no decision should be taken.

5. Alternative or Rotational Vice-President should be appointed in fairness to both the major communities as it was adopted in the UNO Conference.

6. The Muslim League was not consulted in the selection of the three minority representatives i.e. Sikh, Indian Christian and Parsi, and it should not be taken that the Muslim League approves of the selection that has been made. But in future, in the event of there being a vacancy owing to death, resignation or otherwise, representatives of these minorities should be chosen in consultation with the two major parties—the Muslim League and the Congress.

7. Portfolios:—The most important portfolios should be equally distributed between the two major parties—the Muslim League and the Congress.

8. That the above arrangement should not be changed or modified unless both the major parties—the Muslim League and the Congress—agree.

9. The question of the settlement of the long-term Plan should stand over until a better and more conducive atmosphere is created and an agreement has been reached on the points stated above and after the Interim Government has been re-formed and finally set up.

¹ See No 395

401

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/PO/10/26

IMPORTANT

3 October 1946

SECRET

No 17834. Your telegram of 22nd September. No. 1997-S, Paragraph 4.¹ My immediately succeeding telegram² contains text of draft directive in present form which though not finally approved is unlikely to be changed materially. It is a domestic document between His Majesty's Government and their High Commissioner and is not intended for publication or communication to Government of India.

2. You will note that draft does not purport to list subjects with which High Commissioner will deal except illustratively nor does it say or imply that he will be sole channel for dealing with any particular matters. We do not propose to attempt any such definitions.

3. To complete the picture the only further public statement now in view is

¹ No 352. ² L/PO/10/26.

one to be made in Parliament saying that High Commissioner has been appointed, that he will be responsible to Prime Minister, that formal correspondence with him will be conducted by Cabinet Office under authority of an Inter-departmental Committee and that Lord Privy Seal will answer (on Prime Minister's behalf) any Parliamentary questions which do not fall clearly and wholly within departmental responsibility of another Minister. You should also know that we are planning to send a telegram to Commonwealth Relations Department before long asking for copies of all communications between Government of India and Secretary of State to be automatically made available to High Commissioner and offering (if desired) to arrange a similar facility for Indian High Commissioner in London. Purpose of this arrangement which obtains with all Dominions is to ensure to High Commissioner at either end full background knowledge of current Government to Government correspondence without incurring cost of duplicating it in case he is called upon to make representations to Government of India or His Majesty's Government as the case may be.

4. As regards channels of communication we definitely contemplate adopting Dominions Office system under which High Commissioner is used as a channel alternative or supplementary to Government to Government communications. This we consider both intrinsically desirable so long as Secretary of State has not formally surrendered any of his powers and responsibilities and fully justified by the fact that India is still in the Commonwealth and by treatment promised in your letter to Azad of 30th May.³ To go beyond this would be a long step towards treating India even now as a foreign country.

5. It is [as] a matter of fact impossible to lay down in advance any particular rules as to subjects and occasions on which High Commissioner will be employed whether in preference to or parallel with a direct communication to Government of India from Secretary of State. As regards subjects the draft directive itself (which expressly provides for adjustment in the light of experience and developments) goes as far as we can in indicating his probable main concerns⁴ but even so does not imply total exclusion of Government to Government communication in these fields. As regards occasions Dominions Office themselves have no recognised formula. Broadly speaking it is understood that they make it their practice to deal with matters of any subtlety requiring much persuasion or exposition through High Commissioner, that they generally pursue enquiries about developments in Dominions through High Commissioner, and that they look to High Commissioner for regular and systematic information about happenings of all kinds which are of interest to this country. Our intention is to let matters develop empirically on similar lines.

6. I should be glad to know whether you think you can without too much

difficulty steer matters in right direction, or whether you think that any action on our part might assist. We had already sensed an urge in Department of External Affairs and Commonwealth Relations Department towards adopting technique appropriate to a foreign state and we very much hope that this can be kept in control.⁵

⁵ Vol VII, 409.

⁴ These were to be: (a) representation of a true picture of the U.K. in India; (b) economic and financial relations between the U.K. and India, (c) general protection of the interests in India of all non-Indian subjects of H.M.; (d) co-ordination of any U.K. agencies in India, (e) supply of information to H.M.G.

⁵ Lord Wavell replied in tel. 2115-S of 7 October. He had no objections to the draft directive and said he would do his best to encourage Departments to continue correspondence on the Dominion model from Department to Department. L/PO/10/26.

402

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

*Telegram, Wavell Papers. Private Correspondence: Secretary of State,
October 1943–December 1946, p. 132*

IMPORTANT

4 October 1946

PRIVATE AND TOP SECRET

No. 2099-S. Your No. 17723 of 2nd October.¹ Italian Colonies. His Majesty's Government's proposal is contrary to policy approved by Cabinet here this week which is that India should advocate trusteeship of colonial territories by U.N.O. Trusteeship Council only and not by individual nations. I think it may be taken that opinion of the Government of India would be against the proposal and I do not propose to consult my Cabinet. Government would also undoubtedly stress part played by Indian troops in conquest of Cyrenaica and India's consequent claim to a voice in its disposal.

¹ In this telegram Lord Wavell was informed that the British Cabinet had decided to aim at securing a British trusteeship for Cyrenaica so drafted as to give the United Kingdom the necessary strategic facilities and leading up to independence after ten years with an extension if necessary by agreement with U.N.O. The problem of Tripolitania would require further study. L/PO/10/26

403

Pandit Nehru to Field Marshal Viscount Wavell

R/3/1/118: f 92

17 YORK ROAD, NEW DELHI, 4 October 1946

Dear Lord Wavell,

Thank you for your letter of the 2nd October.¹

I entirely agree with you that press comment should be restrained. Even more so facts should not be distorted or fabricated in the press as they have been regularly and persistently in some papers criticising the Interim Government.²

Yours sincerely,

JAWAHARLAL NEHRU

¹ No. 397.

² Lord Wavell noted on the file that he felt no answer was required to Pandit Nehru's letter

404

Field Marshal Viscount Wavell to Mr Jinnah

R/3/1/118: f 90

THE VICEROY'S HOUSE, NEW DELHI, 4 October 1946

Dear Mr. Jinnah,

Thank you for your letter dated yesterday.¹ My replies to your nine points are as follows:—

1. This is agreed.
2. I note what you say and accept that the responsibility is mine.
3. I am unable to agree to this. Each party must be equally free to nominate its own representatives.
4. In a Coalition Government it is impossible to decide major matters of policy when one of the main parties to the coalition is strongly against a course of action proposed. My present colleagues and I are agreed that it would be fatal to allow major communal issues to be decided by vote in the Cabinet. The efficiency and prestige of the Interim Government will depend on ensuring that differences are resolved in advance of Cabinet meetings by friendly discussions. A Coalition Government either works by a process of mutual adjustments or does not work at all.
5. The arrangement of alternative or rotational Vice-Presidents would

present practical difficulty, and I do not consider it feasible. I will however arrange to nominate a Muslim League member to preside over the Cabinet in the event of the Governor General and the Vice-President being absent.

I will also nominate a Muslim League member as Vice-Chairman of the Coordination Committee of Cabinet, which is a most important post. I am Chairman of this Committee and in the past have presided almost invariably, but I shall probably do so only on special occasions in future.

6. I accept that both major parties would be consulted before filling a vacancy in any of these three seats.

7. In the present conditions all the portfolios in the Cabinet are of great importance and it is a matter of opinion which are the most important. The minority representatives cannot be excluded from a share of the major portfolios and it would also be suitable to continue Mr. Jagjivan Ram in the Labour portfolio. But subject to this, there can be equal distribution of the most important portfolios between the Congress and the Muslim League. Details would be a matter for negotiation.

8 I agree.

9 Since the basis for participation in the Cabinet is of course acceptance of the Statement of the 16th May, I assume that the League Council will meet at a very early date to reconsider its Bombay resolution.

Yours sincerely,
WAVELL

¹ No. 400

405

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/PEJ/10/83A: f 44

SECRET

INDIA OFFICE, 4 October 1946, 5 pm

No. 17855. Your telegram No. 1997-S of 22nd September.¹ I agree that it is not necessary to pursue in detail classification of types of case in which H.M.G. might have to insist through me and you in making their views prevail over those of your Government.

2. I note procedure you suggest in your paragraph 3 and will act accordingly.

3. I am telegraphing separately about matters raised in your paragraph 4.²

¹ No. 352.

² See No. 401.

4. I have discussed with my colleagues a possible draft of what might be said in the debate.³ We have come to the same conclusion as yourself, namely, that we must stick to your letter to Azad⁴ and not go beyond it. I shall therefore not be writing to you on this subject. Probability now is that debate will not take place for some weeks.

³ See No. 271, note 1.

Vol. VII, No. 409.

406

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, Wavell Papers. Political Series, June–December 1946, pp. 236–7

IMMEDIATE

NEW DELHI, 4 October 1946, 10.20 pm

SECRET

Received: 4 October, 7.30 pm

No. 2109–S. Jinnah in a letter, dated October 3rd, asked for my decision on the following nine points:—

[*There follows the text of Enclosure to No. 404.*]

2. My replies to these points have been sent this evening after consultation with Nehru. They are as follows:—

[*There follows the text of items 1 to 9 in No. 404.*]

3. Nehru accepted¹ my draft almost without comment except that I had suggested accepting the proposal for rotational Vice-Presidents. I was always doubtful whether he would accept this but decided to put it to him. I had already decided to make the reply given in paragraph 5 of my reply if Nehru proved difficult. Nehru's attitude was more helpful than I expected and he did not ask to consult his colleagues.

4. This looks more promising than I had expected, but we are by no means out of the wood yet. Please do not count either on League acceptance or on Congress complaisance. Both are still on the knees of strange Gods.

¹ At an interview with Lord Wavell on 4 October 1946, see *Wavell The Viceroy's Journal*, pp. 354–5

407

*Pandit Nehru to Field Marshal Viscount Wavell**R/3/1/125: ff 171-2*

17 YORK ROAD, NEW DELHI, 4 October 1946

Dear Lord Wavell,

Thank you for your letter¹ of today's date enclosing a copy of Mr. Jinnah's nine points² and a copy of your replies.³

There are some points to which I should like to draw your attention in order to avoid any misapprehension. I did so in the course of our conversation, but I feel that possibly the wording of some of your replies might be misunderstood. These points, or rather their replies, are not, I hope, any major issues as between Mr. Jinnah and us. They refer rather to the background of our talks with you and it is desirable that this should be cleared up. You know that we have attached considerable importance to the Cabinet functioning as a team with joint responsibility and to the Governor-General acting on the advice of the Cabinet.

In point No. 2, Mr. Jinnah mentions that the six nominees of the Congress will include one Scheduled Caste representative. And yet he says further on that "it must not be taken that the Muslim League has agreed to, or approves of, the selection of the Scheduled Caste representative". I do not see how the question of agreement or approval by the Muslim League arises in regard to the nominees of the Congress. You will remember that you asked me to form the Government and I took the responsibility of placing before you certain names. While this responsibility applied to all the names I placed before you, so far as the Scheduled Caste representative was concerned it was understood, and has all along been understood, that he was one of the nominees of the Congress. It is true that legally and constitutionally speaking the ultimate responsibility for the appointment of Members rests with the Governor-General. But it was understood that that legal responsibility should be exercised on the advice of the person charged with forming the Government. This would apply very specially to the Scheduled Caste representative.

Point No. 5: As I told you, I am personally agreeable, if this helps us to find a solution, to a Muslim League Member being chosen as Vice-Chairman of the Coordination Committee of the Cabinet. I have been unable to consult my colleagues in regard to this, but I hope to get them to agree to it. I feel, however, that your answer to this question introduces a new element which creates a difficulty. You say that you will arrange to nominate a Muslim League Member to preside over the Cabinet in the event of the Governor-General and the

¹ R/3/1/125: f 160.² Enclosure to No. 400.³ No. 404.

Vice-President being absent. I think that any such nomination by you would neither be constitutional nor otherwise desirable. This, however, can be done by agreement between us. The proper course seems to me to be for us to agree to a representative of the Muslim League being made Vice-Chairman of the Coordination Committee of the Cabinet and then for this Member to be nominated as such. Further we would agree to this Vice-Chairman of the Cabinet Coordination Committee presiding over the Cabinet in the event of the Governor-General and the Vice-President being absent. As I have said above, this is my personal view.

Point No. 6: Here also I should have liked the position to be stated more clearly. If we function as a Cabinet, as we must, the whole Cabinet should be consulted before any decision is arrived at. Naturally the major parties would confer together. But the main responsibility must be of the Cabinet whose advice should be taken. It would seriously interfere with the Cabinet system, and the growth of the convention that Cabinet advice should be accepted, if the Governor-General consulted each group or individual Members separately and then came to his own decision in the matter.

What I have stated above flows from the acceptance of the principle of Cabinet responsibility and the Governor-General's acceptance of Cabinet recommendations. I understand that Mr. Jinnah accepts this position generally. If so there is no difficulty in making the clarification which I have sought to indicate above. Our whole objective must necessarily be for the Cabinet to function together and not to be treated as consisting of separate groups which can be consulted separately as groups, thus putting an end to the cohesion and sense of joint responsibility in the Cabinet. Naturally, as you have pointed out in your answer to point No. 4, a Coalition Government either works by a process of mutual adjustments or does not work at all. So far as we are concerned, we shall certainly do our utmost to resolve all differences of opinion by friendly discussions among the Cabinet Members. As you know, we have adopted a practice of meeting daily in informal Cabinet meetings to consider not only the formal Cabinet agendas but also all important matters relating to any Department. Thus any important decision, to whatever Department it might relate, is considered by us jointly and actually becomes a joint decision as well as a joint responsibility. This avoids grouping within the Cabinet and at the same time helps in evolving an integrated solution or decision. If any procedure is adopted which encourages group functioning within the Cabinet and encourages separate groups to function separately, this would seriously militate against the whole conception of Cabinet Government which we are seeking to evolve and which we have already succeeded in evolving in a large measure during the past month.

What I have said above does not come in the way of the main approach to

this problem. We are anxious to remove obstacles in the way of an agreement. My object in writing to you is to clarify the situation.

Yours sincerely,

JAWAHARLAL NEHRU

408

Major-General Sir L. Hollis to Sir D. Montcath

L/PE/J/10/120 ff 39-40, 48-50

TOP SECRET OFFICE OF THE CABINET AND MINISTER OF DEFENCE,
NO. C.O.S. 1213/6 GREAT GEORGE STREET, S.W.1, 4 October 1946

Dear Montcath,

The Chiefs of Staff have had the attached report¹ prepared outlining the military considerations which can be taken as a basis upon which should be drawn up the military clauses of a Treaty with an independent India.

2. The Chiefs of Staff generally endorse this report, but there are two major considerations which they ask should be borne in mind in relation to any subsequent action that may be taken on it.

3. In the first place, the Chiefs of Staff cannot too strongly re-emphasise their previously expressed opinion² that from the military point of view, and on the grounds of our future strategy and the security of the British Commonwealth, our aim must be to retain India constitutionally within the British Commonwealth of Nations, and to direct all our endeavour towards persuading her to this end. If in these endeavours we were successful, a formal Treaty would probably be unnecessary, and our strategic requirements could be met by Staff conversations and liaison arrangements similar to those in force with the other Dominions.

4. Secondly, the Chiefs of Staff wish to put forward a suggestion governing the incorporation of the military clauses, if in practice the negotiation of a full Treaty with an independent India becomes a necessity.

5. Past experience has shown, particularly in the case of Egypt, that requests for British strategic facilities in independent sovereign states inevitably result in bargaining negotiations to whittle down our requirements, principally because the final Treaty must be made public, and must not, if it is to be accepted by public opinion, infringe their sovereign rights.

¹ Only the conclusions of this report are reprinted here.

² See No. 254; also No. 398.

6. The Chiefs of Staff do not therefore consider there should be any attempt to secure, *inter alia*, the incorporation of the detailed conditions set out in paragraph 24 (c) and (f) in a formal treaty, but that the main military clauses should be phrased in such general terms, as would secure our *ability* to achieve these military requirements.

7. If this suggestion is accepted, the military clauses might well be on the following lines:-

- (a) India undertakes to provide for her own internal security and to defend her frontiers to the best of her ability.
- (b) To aid her in this, Britain undertakes to assist India with war material, training and specialised formations and units until such time as India can provide these for herself.
- (c) Should either nation become involved in hostilities as a result of armed attack by a third party, the other will immediately come to her aid as a measure of collective self-defence. In the event of any imminent menace of hostilities, the parties will immediately concert together the necessary measures of defence.
- (d) The means whereby the parties are to implement the responsibilities undertaken under this Treaty shall be the subject of discussion between the military advisers to the two Governments.

The above wording is of course open to such legal modification as is necessary, but it appears possible by some general mutual undertaking of this sort, that we could establish the main principles of military co-operation between the two countries, leaving open our detailed requirements for subsequent private discussion and agreement between the respective military staffs.

8. The Chiefs of Staff would further wish to draw your attention to the strategic importance which the Viceroy and C.-in-C. India attach to the Andaman and Nicobar Islands.³ The Viceroy and C.-in-C. India even consider that should India be granted Independence, these Islands should Not be given to India but retained and developed as an outpost to Burma and Malaya.

The Chiefs of Staff concur with the views of the Viceroy and C.-in-C. India with regard to the future of these Islands.

9. Finally, I have been instructed to request that if the India Office wish to compose firm proposals for a draft Treaty with India, the draft military clauses might be referred again to the Chiefs of Staff for consideration, before they are submitted to either the Cabinet or Defence Committee.

Yours sincerely,

L. C. HOLLIS

Enclosure to No. 408

FUTURE TREATY WITH INDIA—MILITARY CONSIDERATIONS

Report (Extract)

CONCLUSIONS

24 We conclude that:-

- (a) Whilst Indian co-operation with the Commonwealth in defence is an essential requirement, the method of securing such co-operation is a political matter, and the Chiefs of Staff will not wish to pass judgement on whether it should be made conditional to the granting of independence.
- (b) To secure this co-operation a military alliance is essential to us and would be of mutual advantage to India since, in return, she would gain the security and assistance which the support of the Commonwealth will give her.
- (c) Our maximum military requirement is that such a military alliance with India should provide that she should play her full part in the defence of the Commonwealth; and furthermore that she should be prepared to participate actively from the outset in any war in which the Commonwealth became involved.
- (d) Our minimum requirement is that India should accept primary responsibility for the defence of India itself on land and of its ports and coastal communications by Naval forces and should accept the obligation to participate actively in the defence of India in the event of a threat developing in any of the neighbouring territories, including the possibility that this might entail the deployment of some of her forces outside India itself. If our maximum requirement cannot be obtained, we should make every effort to extend our minimum requirement to provide for India's assistance in the event of war in the Middle East or South East Asia.
- (c) Whatever the extent of India's commitment to engage in war, the following are the necessary conditions which should be included in the treaty:-
 - (i) The maintenance of Indian land forces on a scale adequate to ensure the defence of Indian territory:
 - (ii) The maintenance of the efficiency and modernization of Indian armed forces and the acceptance of only British advice and assistance therein:
 - (iii) The provision by the Commonwealth and the acceptance by India of additional naval, land and air forces together with the

³ See No. 26.

technical and other assistance necessary to ensure the defence of India and the Indian Ocean in the event of war, and the admission to India on threat of war of R.A.F. units and of any other assistance which may be necessary at that time:

- (iv) The maintenance of the necessary bases for offence and defence at the required standard and degree of readiness, the acceptance of the assistance of British supervisory personnel and the making available of these bases in war or on the threat of war;
- (v) The acceptance of British Military Representatives to act as a link between the two countries on all military matters;
- (vi) The provision of accommodation, facilities and supplies, so far as they are available from Indian sources, required for the welfare of British Forces stationed in India;
- (f) Other requirements which are not essential for inclusion in such a treaty but which should be provided for either in the Treaty or by special agreements are:-
 - (i) Air transit rights and facilities in India both in peace and war, irrespective of whether India herself is involved in the war.
 - (ii) A special agreement allowing us to take what defensive measures we consider necessary and to establish such facilities as we require in the Andaman and Nicobar Islands;
 - (iii) Continued availability of Gurkhas for the Imperial Army;
 - (iv) The provision of certain Indian forces for duty outside India in peace on the assumption that India has already agreed to their use outside India in war;
 - (v) The provision, subject to the necessary safeguards, of British forces for the maintenance of internal security on request by the Indian Government.

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Mr Turnbull to Mr Donaldson and Mr Anderson

L/P&J/10/122: ff 202, 212-16

SECRET

Mr Donaldson

Mr Anderson

4 October 1946

Treaty and Dominion Status

I attach a *ballon d'essai* which I contemplate loosing into the office stratosphere! I should be very glad of any comments disparaging or otherwise which you

may feel moved to make both on the form and substance of the draft. It seems to me that the matters dealt with are ones on which we should reflect, but possibly my own reflections have not produced anything worth pursuing.¹

F. F. T.

Enclosure to No. 409

Draft, prepared by Mr Turnbull, of Letter from Sir D. Monteath to Sir E. Machtig

SECRET

My dear Machtig,

We are giving consideration to the Treaty relationship which it is hoped to establish with India after the new Indian constitution comes into operation, and there are some important points in this connection on which we should be glad to have the views of the Dominions Office. Since they are of a rather fundamental and general character I am approaching you about them rather than dealing with them on a lower level.

Before the Cabinet Mission went to India the Prime Minister informed the House of Commons that H.M.G. had decided that India should be free to choose whether or not to remain within the British Commonwealth as from the time when a new constitution made by an Indian Constituent Assembly came into operation, and this statement was one of the main foundations of the Cabinet Mission's work. Therefore at some stage in the deliberations of the Constituent Assembly which will begin to sit in December, India will have formally to take the choice between complete independence and independence within the Empire. The general expectation is that she will choose the former.

Consequently we are dealing with the subject of the Treaty on the basis that India will probably choose complete independence. The matter has not been fully considered by Ministers but the Cabinet Mission contemplated that there would be more than one Treaty. The first Treaty would be negotiated with either the Interim Government or the Constituent Assembly and would cover "matters arising out of the transfer of power". It will be part of the final settlement with India and will have to be available in final draft for presentation to Parliament at the time when legislation to give effect to the settlement is considered. So far as we know at present this Treaty will not cover anything beyond the transfer by H.M.G. and acceptance by India of existing obligations of the present Government of India. Broadly this comprises existing obligations to members and ex-members of the Services, the obligations to holders of the public debt, the obligations on India arising from Treaties with foreign powers concluded by H.M.G. at a time when they were the controlling authority in

¹ Mr Turnbull sent another copy of his draft letter with a similar covering minute to Mr Morley and Sir G. Lathwaite. L/P&J/10/122: f 192.

India, and possibly some reference to the protection of minorities. It is then contemplated that when the new Indian Government has come into being we should endeavour to negotiate with it a Treaty of Friendship. It would be this treaty which would cover so far as possible the kind of relationship which in the case of the Dominions rests on the common allegiance and the common sentiment. Linked with this Treaty there will we hope be a military alliance. The Chiefs-of-Staff have been considering this aspect and their views in regard to it are contained in their paper.² It is in our view extremely doubtful whether India will be willing to accept arrangements of the kind proposed but we may be unduly pessimistic.

This represents in broad outline the kind of Treaty relations we should hope to secure if India became a foreign State. But it is conceivable that, if things go well in the interim period, and if the value of the existing association of India with the Commonwealth thereby comes to be appreciated more fully by the Indian leaders, India might be interested in the possibility of remaining within the Commonwealth especially if it were made easy for her to do so in certain respects. In any event, those who go to negotiate a Treaty with India should, we feel, have instructions from H.M.G. as to whether they are to make any attempt to secure that India remains within the Commonwealth and, if so, whether any special inducements can or should be offered to her to do so. We shall of course have to put up to Ministers this and all other questions for decision in regard to the Treaty, but I should value your advice on this aspect before we do so.

The first question for consideration is whether it would be in the interests of the Commonwealth as a whole that India should remain within it. At first sight the answer to this question might seem to be obviously in the affirmative, but I venture to think that, in fact, it is open to doubt whether this is so. The relation between this country and the Dominions is unwritten and undefined, and I imagine that you would agree that it only exists because of the fundamental racial and spiritual kinship between us and the peoples of the Dominions. The phenomenon of Australians and New Zealanders setting out across the world in 1939 to fight for the protection of this country against a European foe, in circumstances which at first sight did not endanger Australia or New Zealand in the slightest, is not one which could occur without the peculiar relationship which we have with the Dominions. The only reason that we can rely on the harmonious co-operation of Australia and New Zealand in foreign policy, and in Commonwealth defence in time of war, is this peculiar affinity which fundamentally is due to the fact that we are the same kind of people who feel outraged by the same events at approximately the same time. It is extremely improbable that any sentiment of this kind will operate in the case of those likely to be in power in India. On the contrary, the present leaders of Indian nationalism have spent a lifetime inveighing against British rule in India and the

complexes which they have developed will make them anxious to demonstrate their freedom by taking an independent line in foreign policy. If their form in the last war is any guide, they are likely in the future to be anxious to preserve their neutrality for as long as possible before and during any future war. On the other hand it is true, of course, that educated Indians have considerable cultural ties with this country and have derived much of their thought from our ideas. Many of them have personal friendships with Englishmen and trade and commercial interests may turn out to be a strong link of mutual interests. But on balance it is extremely doubtful whether at any rate for the next 10 or 20 years we could rely on India, even if she remained formally within the Commonwealth, operating in the same way as the Dominions if the obligations she assumed were undefined. She would be much more likely to become a larger, more vocal and more influential Southern Ireland and on this view India within the Commonwealth might be more of an embarrassment than an asset. The strength of the Commonwealth in world affairs lies to a great extent I presume in the natural harmony of the policies of its components and an India which did not conform would be a weakness rather than a strength. Moreover, there are particular sources of friction between India and individual members of the Commonwealth, notably South Africa, but also certain colonial territories, in respect of persons of Indian descent resident in their territories. India is also likely, at any rate at the outset, to adopt a policy of hostility to "Colonialism". This is to be seen already in their support for the Indonesians and in statements by Nehru that places such as Malaya must be liberated. There may also be friction over the position of Ceylon. In all these matters India's presence within the Commonwealth might be a greater source of discord than of strength.

On the other hand, if India were an independent State it might be possible to make specific agreements with her on some of the more important matters which within the Commonwealth are dealt with by undefined but none the less powerful obligations, and thus secure undertakings from her which would be more reliable in her case than would be a Commonwealth relation which is based on conceptions foreign to her people's thought and capable of interpretation in a variety of ways.

It is in the light of these considerations that I should particularly value your advice on the desirability of making an attempt to secure that India remains within the Commonwealth.

If an attempt is to be made to keep India in the Commonwealth, whether on its present or some modified theory of Dominion Status, it will be necessary to furnish our negotiators when the time comes with instructions which will enable them to explain to the Indians the character of the Commonwealth relationship, its unwritten obligations and its specific obligations in such spheres

² See Enclosure to No. 408.

as British nationality law, shipping and so forth. Would it be possible for the Dominions Office to provide us with a statement of this kind which could form a brief for such a negotiation? Even if no such attempt is to be made such a statement would be valuable to us as a basis for our consideration of what we should seek to get by Treaty if India in fact goes out of the Commonwealth.

If the view is taken that the benefits of retaining India in the British Commonwealth would outweigh any possible disadvantages, then it is necessary to consider whether there are any concessions which we could make to India which would make it easier for her to accept that position. Therefore it seems to me worth considering whether there is any new variant of Dominion status which could be offered to India which would in effect amount to a modification of the present theory of the British Commonwealth. The Indian Nationalists are, of course, extremely sensitive on the subject of British imperialism and it may be that the "common allegiance to the Crown" would for them imply a vestige of domination. Consequently they may attach sentimental importance to having a republican form of Government. On the other hand, there are elements in India, which may become more powerful, which may wish to remain fully aligned with the British Commonwealth and to have the advantages of that association. Is it conceivable that we could so modify the conception of the Commonwealth that India could be within it as a republic? I am not very clear what the present position of *Eire* is but it may be that India could in form be within the Commonwealth as a republic on some similar basis, though we should have to be sure that she was a more willing and whole-hearted member than *Eire* has been of recent years. Indians are great respecters of legal obligations and it might be desirable if such a position were possible to have agreements defining Indian obligations as a member of the Commonwealth more closely than in the case of the Dominions. I recognise that this may seem to you to involve ideas which would greatly modify the conception of the Commonwealth as it now exists and that these, if realised, might endanger the peculiar virtues of the Commonwealth relationship. But I suggest that we must have in mind that other parts of the Empire besides India, which are likely to share her outlook on the imperial connection are ripening to the same stage of development. Burma is an example and Ceylon is on the same path. May it not be that a new adaptation of the outer forms of the Commonwealth relationship is desirable in order to meet their needs and to provide the best chance of retaining them within the British Commonwealth? The fundamental question is whether we should gain any advantage by such a modification of the forms of the Commonwealth relationship which we should not equally secure by a satisfactory Treaty relationship, and indeed whether the Commonwealth is capable of the very considerable effort which would be required to extend its "club spirit" to include peoples of oriental race and modes of thought. If it were possible I think it might be that in course of time India

and Burma might become valuable members of the club, though they might at first put new interpretations on the rules or even move amendments to them.

If you would care to discuss these questions I shall be happy to do so. I think they deserve some consideration and this has been brought home to me particularly by the recent study of the military and strategic side of these questions by the Chiefs-of-Staff³ which shows how serious for the Commonwealth as a whole in the strategic field it would be if India left the Commonwealth. It would I think be very unrealistic if India were, in her own interests, disposed to remain within the Commonwealth but yet was prevented from doing so by difficulties over the British conception of the common allegiance to the Crown which from the Indian point of view is an obstacle rather than an incentive to her association with the rest of the Empire.

³ See Nos 254, 398 and 408.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

L/PO/10/23

PRIVATE AND SECRET

INDIA OFFICE, 4 October 1946

Received 8 October

Thank you for your letter of 25th September.¹

2. On receipt of your telegram No. 2082-S,² I approached Colville to find out whether he would be willing, if necessary, to fly out to India at short notice and act as Governor-General during your absence. He has, as we anticipated, expressed his willingness to do whatever is required of him and is standing by for further word, although I have since told him that, while the position appears to be fundamentally little different from what it was when I first wrote to him, the prospect of your visiting this country for discussion is now slightly less immediate. I have also informed the Palace of the situation and have obtained the King's provisional sanction to Colville acting for you, if this should be necessary.

3. There is, as a matter of fact, a slight technical difficulty over this. Under the Letters Patent constituting the office of Governor of Bombay it is provided that the Secretary of State may grant to the Governor leave of absence from India once during his term of office for a period not exceeding four months, though this period can be extended by the Secretary of State for reasons which

¹ No. 363.

² No. 389.

must be stated to Parliament by Minute. It would be very unfair to Colville, who has at present only completed about two months of his leave, if he were deprived of the full period of four months through being asked to return to act as Governor-General. On a strict legal interpretation of the Letters Patent it would appear that he cannot be granted a second period of absence from India even though he is not returning to be Governor of Bombay but to act as Governor-General. On the other hand, the circumstances of this case are clearly quite different from those which this provision of the Letters Patent was designed to cater for. The intention of the Letters Patent obviously was to prevent a Governor taking his four months in two separate absences from his Province. In the present case there will only be one continuous absence. I, therefore, suggested for the King's consideration that as the Letters Patent derive from His Majesty's authority only and are not subject to Parliamentary approval, he might be prepared to approve this slight departure from their strict interpretation and I now understand that he would, in fact, be willing to do so.

4. I was, of course, very glad to get your telegram No. 2085-S,³ giving your account of your interview with Jinnah at which you had expected your negotiations to breakdown. It certainly looks as if Jinnah, at any rate, wants the League to come in, but I do not feel very hopeful that he will be able to get his supporters to do so without some concession from Congress. It is, however, difficult to judge what his intentions are. I suppose it is possible that the somewhat leisurely manner in which he seems content to deal with the situation is due to his desire to gain time to organise "direct action" or to arrive at conclusions as to its possible effectiveness.

5. I see from a press message⁴ that in the meantime Nehru has made another statement about grouping which I fear will have an adverse effect on the Muslim League, although it appears to be skilfully worded and not necessarily completely inconsistent with acceptance of the Cabinet Mission's proposals. It remains clear that Congress accept going into Sections, but Nehru evidently intends to insist that Groups can only be formed by agreement between Provinces and that a Provincial constitution shall not be imposed upon a Province by a majority of the Section. It has always seemed to me that this would be the crucial point, but it will not make matters any easier for Jinnah, if he in fact wants to come in, that Nehru should have chosen this moment to emphasise the Congress position.

6. I have read with interest the D.I.B.'s appreciation⁵ of the possibilities of direct action by the Muslim League and the consequences that might result. I hope, as you do, that this will make an impression on Patel. I have circulated copies of it to my colleagues who are most concerned with Indian affairs.

7. In paragraph 5 of your letter of the 25th September you mention a further

letter from Downing Street to Jinnah which came out through your bag. I am sorry that you were not informed about this. Jinnah sent a short reply to the Prime Minister's answer⁶ to his previous letter⁷ to the effect that he could say nothing more but enclosed copies of his recent statements. To this the Prime Minister sent no reply himself but a polite acknowledgment went from his Private Secretary. I should of course send you a copy if any important letter went from the Prime Minister to any of the Indian leaders.

8. I am sorry you have had trouble with Nehru about Sind, and I agree that his letters to you⁸ were intemperate. I thought your replies⁹ were good and feel we must resist attempts to trench upon the discretionary powers of Governors and yourself, though there may be occasions on which it is desirable to consult Nehru or the Interim Government on matters falling in that field. I agree also that it would not be right that you should show to Nehru all the important correspondence between the Political Department and the States. This would be inconsistent with our undertaking to the States that Paramountcy will remain in the Interim Period and will not be transferred to an Indian Government. I think, however, it would be a good thing to get the proposed Consultative Committee going as soon as possible.

9. Krishna Menon continues to be very active. He paid a flying visit to Paris during his first week in Europe and is known to have spent two hours with Molotov. Whilst he was in Paris a message was received by the U.K. Delegation to the effect that he had taken over from Runganadhan the leadership of the Indian Delegation to the Peace Conference and would appreciate it if "a senior member" of the U.K. Delegation could attend a reception to meet him. Enquiries showed that there was no foundation for the alleged change in the leadership of the Indian Delegation and it was arranged that a member of the U.K. Delegation of appropriate status should attend the party.

10. Menon has this week requested an interview with the Prime Minister on the ground that it was Nehru's wish that he should do so. He saw the Prime Minister this morning, I gather for about five minutes only, and the conversation was concerned exclusively with the question of India's food position.

11. There is still no sign of the telegram from Nehru, foreshadowed in your private telegram No. 2002-S,¹⁰ about Menon's proposed "roving commission". It appears from a recent Information Bureau cable from Delhi, moreover, that he has been appointed an alternate delegate of India to the forthcoming General Assembly of the United Nations Organisation to be held in New York later this month.

12. The Muslim League representative, Haroon, has, I understand, arrived

³ No. 396.

⁴ See No. 385.

⁵ Enclosure to No. 360.

⁶ No. 70.

⁷ See No. 68.

⁸ Nos. 349 and 353.

⁹ Nos. 351 and 359.

¹⁰ No. 357.

in this country, but so far no request has been received from him for an interview. It appears from the press that he has made little progress with his mission to Molotov.

13. I have this week once more brought the Indian food situation to the attention of the Cabinet and sought specific assistance. In my memorandum¹¹ I drew attention to the deterioration in the situation owing to the shipping strike in the United States and the failure to obtain export licences from the Argentine Government for any further supplies—(this latter difficulty has of course since been rectified). I urged that from the point of view of our future relations with an independent India it would be well worthwhile for the United Kingdom to divert to India, say, 100,000 tons of Canadian wheat out of shipments at present destined for the United Kingdom, and emphasised the very grave political repercussions which would inevitably result in India if His Majesty's Government should decide in the near future to abolish bread rationing in this country at a time when millions in India would be facing starvation. In his counter memorandum¹² the Minister of Food stated his inability to accept the position that this country could not abolish bread rationing because of unfavourable international reactions. The discussion in Cabinet¹³ was, I think, valuable although my proposal that any further Canadian wheat destined for the United Kingdom should be diverted to India was not accepted. By direction of the Cabinet discussions are to take place with the Ministry of Food as to means of obtaining for India increased shipments of cereals from Canada, the United States and the Argentine, and the Ministry of Transport is to do all it can to arrange to speed shipments of Argentine maize for which export licences have now been obtained, and all other cereals destined for India in the near future.

14. In view of the comparatively small results of this further approach to the Cabinet, it is not proposed to inform the Food Department that the matter has again been laid before Ministers here, but I feel that you personally ought to be made aware of the fact. The Food Department will, of course, be informed in due course of the results of the discussions that are to take place with the Ministry of Food which at present look as if they may bear fruit in the shape of about four cargoes of barley.

15. The news from Burma continues to be encouraging. Rance has only one more vacancy to fill in his Executive Council—a vacancy that it is intended should be filled by a second Karen—and he has followed up his success in that direction by reaching an accommodation with the Council as regards measures to bring to an end the strike of Government Servants and police which is already collapsing. He has had to go a long way towards meeting the strikers' demands but there is no doubt that their wages were very low in view of the

high cost of living. There are good grounds for hoping that Rance's initial success will be maintained.

¹¹ C.P. (46) 361 of 30 September 1946 R/30/1/8. ff 87-92.

¹² C.P. (46) 366 of 2 October 1946. *Ibid.* ff 95-6

¹³ C.M. (46) 84th Conclusions, Minute 3 of 3 October 1946. *Ibid.* ff 101-2

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Field Marshal Viscount Wavell to Pandit Nehru

R/3/1/125: f 173

No. 592/58

5 October 1946

Dear Pandit Nehru,

Thank you for your letter of today.¹ I am glad you wrote and I note your position as stated in your letter.

As you know, I wish to encourage union in the Cabinet in every way. I am most anxious that the Cabinet should work as a team and I hope we shall be able to achieve this.

Yours sincerely,

WAVELL

¹ No. 407 dated 4 October

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Pandit Nehru to Mr Jinnah

L/PEJ/10/75: ff 76-7

6 October 1946

I have consulted some of my colleagues about the matters discussed by us yesterday, and over the possibility of a rapprochement between the Muslim League and Congress. We are all agreed that nothing could be happier and better for the country than that these two organisations should meet again as before, as friends having no mental reservations and bent on resolving all their differences by mutual consultation, and never desiring or allowing the intervention of the British Government through the Viceroy or some other, or of any other foreign power. We would therefore welcome the decision of the League to join the interim Government for it to work as a united team on behalf of India as a whole.

The points put forward by you in our conversation yesterday were: 1. The formula suggested to you by Gandhiji,¹ 2. The League not being responsible

¹ See Nos. 413 and 416.

for members at present representing the Scheduled Castes and minorities, 3. What should be done in case any vacancy should arise among the members representing minorities other than the Scheduled Castes, 4. The procedure to be adopted over what may be called the major communal issues, and 5. Alternating the Vice-Presidentship.

Regarding number 1, we feel that the formula is not happily worded. We do not question the purpose underlying it. We are willing as a result of the elections to accept the Muslim League as the authoritative representative organisation of the overwhelming majority of the Muslims of India, and that as such, and in accordance with democratic principles, they have today an unquestionable right to represent the Muslims of India, provided that for identical reasons, the League recognises Congress as the authoritative organisation representing all non-Muslims and such Muslims as have thrown in their lot with Congress. Congress cannot agree to any restriction or limitations to be put upon it in choosing such representatives as they think proper from amongst the members of Congress. We would suggest, therefore, that no formula is necessary, and that each organisation may stand on its merits.

Regarding number 2, I am to say that the question of the League being responsible does not arise and as you do not raise any objections to the present constitution of the Government in this respect, there is no question to be solved.

Regarding number 3, I am to say that if any such vacancy arises, the whole Cabinet will consider what should be done to replace the vacancy and advise the Viceroy accordingly. There can be no question of a right in the matter of consultation with the League in regard to the representation of these minorities.

Regarding number 4, your suggestion about the Federal Court is not feasible. Matters coming before the Cabinet cannot be made the subject matter of references to a Court. We should thrash out all such matters amongst ourselves, and bring up the agreed proposals before the Cabinet. In the event of failure to reach an agreed decision, we should seek a method of arbitration of our own choice. We hope, however, that we will act with such mutual trust, forbearance and friendliness that there will be no occasion to go to such arbitration.

Regarding number 5, it is out of the question to have any rotation in the Vice-Presidentship. We have no objection if you desire to have an additional Vice-Chairman for the Co-ordination Committee of the Cabinet, who can also preside at such Committee meetings from time to time.

I am hoping that if your Committee finally decide upon the League's joining the National Cabinet they will also decide simultaneously to join the Constituent Assembly, or recommend to your council to this effect.

I need hardly mention that when agreement has been reached by us, it can only be varied by mutual agreement and not otherwise.

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*Mr Jinnah to Pandit Nehru**L/P&J/10/75: ff 77-8**7 October 1946*

I am in receipt of your letter of October 6th¹ and I thank you for it: I appreciate and reciprocate your sentiments expressed in paragraph one of your letter. With regard to the second paragraph of your letter, point number 1, the formula, it was accepted by Mr Gandhi and me and a meeting between us was arranged on that basis, in order to negotiate and settle the few other points remaining for the purpose of reconstituting the interim Government. The formula runs as follows "Congress does not challenge, and accepts that the Muslim League now is the authoritative representative of the overwhelming majority of the Muslims of India. As such, and in accordance with democratic principles, they alone have today the unquestionable right to represent the Muslims of India. But Congress cannot agree that any restriction or limitation should be put upon Congress to choose such representatives as they think proper, from amongst the members of Congress as their representatives".

And now in your letter under reply, not only you have made changes in it, but you consider that no formula is necessary. I regret that I cannot agree to any change, in language or otherwise, as it was the agreed basis of our discussion on other points: nor can I agree with you that no formula is necessary. It was signed by Mr Gandhi and accepted by me.

As the whole basis of our talk on the other matters was the formula agreed to by Mr Gandhi, I do not think we can make any further progress unless it is accepted by you as a basis upon which we can proceed to discuss the other points which we have already discussed orally in the course of our conversation, and now I am enclosing herewith a copy of the various points put by me before you in writing.

Even the four points, excluding point number one regarding the formula which I have already dealt with above, you do not agree with any one of them. I am still willing, on the basis of the formula being accepted by you, further to discuss the various points with a view to settling them in the spirit of the sentiments expressed by you in paragraph one. I am anxious that we should come to our own settlement without undue delay.

Enclosure to No. 413

[The nine points listed by Mr Jinnah are identical with those in Enclosure to No. 400 except point 7 which reads: "Portfolios: It is most important that

¹ No. 412.

portfolios should be equally distributed between the two major parties—the Muslim League and Congress.”]

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Field Marshal Viscount Wavell to Sir A. Clow (Bombay)

R/3/1/118: ff 104-5

No. 592/47

7 October 1946

My dear Clow,

Thank you for your most interesting note¹ on the political situation.

2. I agree with you entirely that the solution of the communal issue is the main problem. I also agree with you that the predominance of Jinnah and the League is a real one, and due to very real Muslim apprehension of Hindu domination. Jinnah owes his position mainly to the fact that he has stood up stubbornly and unyieldingly to Gandhi and Hindu pressure, in spite of the fact that he is not really a good Muslim.

3. I differ from you however about the conflict between Hindu and Muslim being entirely a matter of a difference of ethos. Though I agree as to the contrast between the Muslim and Hindu outlook on life and that the masses can be worked on mainly by the appeal of religion, I think that the root of the political conflict, so far as the leaders are concerned, lies in the fear of economic domination, rather than difference of religion. It has been found that Hindus and Muslims can live together without conflict where there is no fear of economic and political domination, e.g. in the army.

4. I doubt whether Ireland really supplies a proper analogy; here again I believe that political and economic issues were at the root of the separation between North and South as much as religion, though I think the religious issue is more pronounced in Ireland than almost anywhere else.

5. The present ascendancy of the Muslim League is, I think, very largely due to the treatment of the Muslims in the economic and political sphere in the Congress Governments in 1937-1939. I have not studied all the controversy about the treatment of Muslims during these years, but I think that a great majority of the complaints were from economic and political causes rather than accusations of actual religious oppression. This may have been a symptom of the deep-seated antipathy between the two.

6. I do not think there is any hope of Congress conceding the nationalist Muslim issue, nor do I think that Jinnah is on firm ground in demanding it

After all, there is a Congress Ministry in the Province with the greatest proportion of Muslims, and 1½ million votes were cast against the Muslim League at the recent elections as compared with about 6 million for the League. Nor, I am afraid, is there the least likelihood of Congress showing generosity over this issue.

7. We ought to know in the next 48 hours or so whether the Muslim League will come into the Interim Government or not, and then we shall see what effect this will have on the communal tension; but it will take some months at least to see whether a Coalition Government will really work; and longer still to see whether the Constituent Assembly can lay an egg and hatch it.

Yours sincerely,

WAVELL

¹ No 374

415

Lord Pethick-Lawrence to Sir S. Cripps

L/PO/6/102c: ff 24-5

INDIA OFFICE, 7 October 1946

My dear Stafford,

You will like to see enclosed encouraging letter written a week after the one¹ you sent me. Let me have it back.

Yours,

PETHICK

Enclosure to No. 415

Pandit Nehru to Lord Pethick-Lawrence

PERSONAL

NEW DELHI, 27 September 1946

My dear Lord Pethick-Lawrence,

I am grateful to you for your letter² and the good wishes you have sent. I fully realise the difficulties facing us but I have every hope that we shall be able to overcome them. For the present the burden is heavy and the air is full of suspicion of each other. This will have to pass as new problems come up before us and people's minds are diverted from old and stale issues to these living problems.

With all good wishes,

Yours sincerely,

JAWAHARLAL NEHRU

¹ No 340.

² Not in India Office Records.

416

*Pandit Nehru to Mr Jinnah**L/PEJ/10/75: ff 101-2**8 October 1946*

I received your letter of October 7th¹ as I was going to Baroda House to meet you there last evening. I hurriedly glanced through it and was perturbed by it as it seemed to me to be at variance with the spirit of our talk of the previous day. Subsequently we discussed various points and unfortunately could not convince each other.

On my return, I read through your letter more carefully, and consulted some of my colleagues. They were also disturbed, not only by the letter but also by the list of points attached to it. This list had not been seen or considered by us previously. It had little relevance after our talk. We have again given earnest consideration to the whole matter, and we feel that we cannot state our position more clearly than I did in my letter to you of October 6th,² except for some variations which I shall indicate below. I shall therefore refer you to that letter of mine which represents our general and specific viewpoint.

As I have told you, my colleagues and I did not accept the formula agreed to by Gandhiji, and you. The meeting between you and me was not arranged, so far as I was aware, on the agreed basis of that formula. We knew of it, and were prepared to agree to the substance of that formula as stated to you in my letter of October 6th. That formula contained a further paragraph, which you have not quoted in your letter: "It is understood that all ministers of the interim Government will work as a team for the good of the whole of India and will never invoke the intervention of the Governor-General in any case."

While we still think the formula is not happily worded, we are prepared, for the sake of the settlement we so earnestly desire, to accept the whole of it, including the paragraph left out in your letter.

In that case, you will agree, I hope, that we should make our further position quite clear. It is clearly understood, of course, that Congress has the right to appoint one Muslim out of its quota. Further, as I have stated in my previous letter, the Congress position, in regard to Nationalist Muslims and the smaller minorities, should not be challenged by you.

In regard to the points numbered 2, 3 and 4 in my letter of October 6th, I have stated our position and have nothing further to add. We have gone as far as we could to meet you, and we are unable to go further. I trust that you will appreciate the position.

Regarding number 5 (the question of the Vice-President) you made the suggestion yesterday that the Vice-President and the leader of the House (the

Central Assembly) should not be the same person. In the present circumstances, this means that the leader of the House should be a Muslim League member of the Cabinet. We shall agree to this.

I am writing this letter to you after full and careful consideration of all the issues involved, and after consulting such of my colleagues as are here. It is in no spirit of carrying on an argument that I have written, but rather to indicate to you our earnest desire to come to an agreement. We have discussed these matters sufficiently and the time has come for us to decide finally.

¹ No. 413

² No. 412

417

Mr Abell to Field Marshal Viscount Wavell

R/3/1/125: f 181

8 October 1946

Mr Sudhir Ghose came to see me this morning. He had nothing of interest to say about any political discussions in London, but the background was interesting. Clearly they made a great fuss of him and he saw the Prime Minister "several times". He told DPSV that he was consulted by *The Times* on every leading article they wrote during his period at home and that they undertook to leave out anything which he did not like. Lord Munster took him to lunch with Mr Churchill. He saw the Secy. of State fairly frequently. He went to Paris to see Mr Alexander and stayed at the George V Hotel, where the British Delegation was staying. When he went to pay his bill, he was informed by the Manager that he was the guest of HMG. He then went on to Geneva to see Cripps.

2. As regards the situation in Delhi at the moment, he gave me the clear impression that the Congress regard a possible coalition with no enthusiasm of any kind. I got the impression that the Congress even have a grievance about the possibility of success, and he told me that he found that in nationalist circles I was distrusted and unpopular, to which I said I had no objection. I suppose they think you are daily advised to dig your toes in!

3. Sir U.N. Sen has been to see me today and a little of what he said confirmed the impression I got from Sudhir Ghose. He said that there was a good deal of stuff put out by Congress journalists which implied that Y.E. thoroughly disliked having the Congress in the Interim Government; that you had tried to sabotage it; and that the present negotiations with the League

were solely due to your desire to re-establish your own power in the Cabinet. He thought some of this stuff was encouraged by the members of the Cabinet.

4. To hear stories of this kind at the present moment is depressing. Clearly the Congress see cause for complaint rather than rejoicing in the possibility of a coalition.

5. Incidentally DPSV has it from Ispahani that yesterday's meeting between Nehru and Jinnah did not go so well as Nehru adopted a superior and patronising tone and said "we will give you this, we will give you that", &c.

6. Part of the trouble is clearly due to the over-confidence of the Congress, and this links up with what I said at the beginning of this note about the way in which Sudhir Ghose was treated in London.

G. E. B. ABELI

418

Sir H. Dow (Bihar) to Field Marshal Viscount Wavell (Extract)

L/P&J/5/181: ff 55-6

D.O. NO. 281—G.B.

8 October 1946

3. Dr. Rajendra Prasad has been making a short tour in Bihar: he had a talk with me and stayed to dinner, when I had a small party to meet him. It was a pleasant change for me to have dealings with a man of his calibre and courtesy. We discussed the question of the "1942" officers, and I urged him to use his influence to stopper down the demand for victimisation, which naturally enough is still strongest in this province, but it is poisoning the whole atmosphere and in effect undermining the authority of the Ministry. It is very dangerous that in these times officials should hesitate to use the powers they have to save lives in communal disorders, and they will hesitate and ask for orders from above so long as the Ministry maintain their present attitude.

Rajendra Prasad has done good work here by explaining the necessity for monopoly procurement of foodgrains, and by appealing for the co-operation of the public and more particularly of Congressmen and Congress M.L.A.s, about which last he had some hard things to say. It is now universally recognised that the association of the local Congress M.L.A.s with the district officers in the distribution of foodgrains and other essential supplies has been an unmitigated nuisance, and Anugrah Singh, my Food Minister, has now learned by experience what he would not accept from me by way of advice. If the local press is to be believed, Rajendra Prasad seems to have created something of the atmosphere of a Welsh revival at his meetings, with peccant Congressmen

acknowledging their manifold sins and wickednesses and promising to be good in future. I wish I could believe this repentance to be sincere and lasting. . . .

419

Mr Bellenger to Lord Petthick-Lawrence

L/WS/1/1091: f 204

9 October 1946

Dear Petthick,

'Thank you for your letter of the 19th September' concerning the retention by India of all the major British Army units at present in that country.

I fully realise the difficulties which face the Government of India and the great value of the impartial British soldier in these critical times. But the fact is that it is the British soldier who is required everywhere: in Palestine, in Burma, in Greece and in Italy. The Cabinet has allotted to the Army a fixed manpower ceiling for the end of this year, and this ceiling is governed by the announced rate of releases. Within this manpower allotment, all theatres have been given their fixed allotments based on essential minimum requirements: if therefore India keeps more than has already been allotted to her, some other theatre must go short even of this essential minimum. And I regret that I cannot agree to this as much as I should like to help you.

I must, therefore, ask that the run-down of British strength in India should continue as planned to the end of this year.

Yours sincerely,

F. J. BELLENGER

¹ No 334.

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Pandit Nehru to Field Marshal Viscount Wavell

L/P&J/10/84: ff 48-9

17 YORK ROAD, NEW DELHI, 9 October 1946

Dear Lord Wavell,

I am writing to you about a matter concerning the U.P. Government which has assumed considerable importance. I shall only give you the facts very briefly so as not to burden you with all that has happened.

Some months back Sir Philip Measures, the Inspector-General of Police of

the United Provinces, took some steps in the Police Department and later issued a circular which was disapproved of by the U.P. Government. The circular itself was a strange document which indicated that there was complete lack of confidence between the Government and the Inspector-General of Police. There were certain other developments. Ultimately the U.P. Cabinet, at a formal meeting, decided that Sir Philip Measures should not continue as Inspector-General of Police. The Governor, Sir Francis Wylie, however disagreed with this decision and invoked his special responsibilities to prevent the Cabinet decision taking effect. This was a serious step which brought the Government and the Governor into direct conflict. The Prime Minister, Pandit Govind Ballabh Pant, was anxious to avoid this conflict and repeatedly he had long talks with the Governor and explained to him how it had become impossible for Sir Philip Measures to continue as Inspector-General of Police. Apart from the circular, Sir Philip had written a very undesirable letter to his chief, the Home Minister. Sir Francis Wylie, however, adhered to his decision.

The U.P. Premier subsequently had long talks with Sir Philip Measures. As a result of these Sir Philip Measures decided to take leave preparatory to retirement. He wrote a letter to this effect to the Premier, a copy of which I enclose.¹ The Premier naturally thought that this long-standing argument had ended and he informed the Governor of this. A few days later he issued directions to the Chief Secretary and suggested another name for the Inspector-Generalship of the Police. I enclose the Premier's note on this question.² After all this was done the Governor again stepped in and objected to Sir Philip Measures' retirement. The Premier and he again had long talks on this question resulting in no agreement.

I am afraid I have given you the briefest of outlines of what has happened and this will not convey to you all that has happened during these past few months when the Governor has consistently come in the way of the Ministry in this and other matters. I do not wish to go into the merits of what has happened. One thing is clear—that Sir Philip Measures ceased to have the confidence of the U.P. Ministry and ultimately said he would take leave preparatory to retirement. When everything was fixed up the Governor again intervened. It is impossible for any Government to be carried on in this fashion. It is even more undesirable for an Inspector-General of Police to be involved in an argument of this kind when the Police have to carry a heavy burden. This matter has taken up a great deal of time of the U.P. Ministry and added to their worries. During these past few months the attitude of the Governor in this and other matters has been very unfortunate and it is becoming increasingly difficult for the Ministry to carry on with the Governor. If there is this continuous conflict between the Governor and the Ministry every kind of work suffers, more specially during the difficult times we have to face now. The United Provinces is not an easy Province to govern and yet the Ministry there have controlled the situation

with remarkable success. They would have done much better but for this friction with the Governor.

A short while ago the Government issued an ordinance of the kind we have been issuing here to tide over the period from 1st October till the Assembly takes action in the matter. This was an urgent question. Even this was suddenly held up by the Governor. I enclose a letter¹ from the U.P. Premier addressed to the Governor in regard to this matter. Subsequently, presumably because of directions sent by you, the Governor withdrew his objection and the ordinance was issued.

These are two instances. I do not wish to burden this letter with other instances. But the point I wish you to consider is how far it is possible for this continuous friction between the Governor and the Ministry to continue. If it cannot be otherwise resolved, then one of them has to go.

Meanwhile the question of Sir Philip Measures' retirement is an urgent issue which has to be decided immediately.

You have told me on several occasions of your desire not to interfere with Provincial autonomy. Because of this things have happened in Bengal and Sind which have shocked vast numbers of people in India and yet there has been, what is called a scrupulous non-interference with the Ministry, even though that Ministry should be responsible for disaster and corruption on a big scale. Apparently this conception of Provincial autonomy differs in the United Provinces or some other Provinces. It applies chiefly to Bengal and Sind.

I realise that in strict law the Interim Government cannot interfere with the functioning of the Bengal and Sind Governments or with the activities of the Governors there. But whatever the law may be on the subject, I should like to make it perfectly clear that the Interim Government has taken and takes the most serious view of happenings in Bengal and Sind.

I have received copies of communications addressed to the Governor-General by Mr. G. M. Syed, the Leader of the Opposition in the Sind Assembly. These communications give details of very serious misbehaviour by district officials. That is not surprising when the Governor himself is adopting that attitude. But it makes clearer that the present Government there and the Governor are not interested in free and fair elections, but are likely to do their utmost to prevent a proper election so that the people of their choice might get elected. Vague statements of good intentions mean nothing at all when in practice behaviour is in opposition to those statements.

Whatever the law may be, surely it cannot be thought right or desirable to flout public opinion and to act in direct opposition to the declared wishes of the Interim Government. In our view the limits of decency have been transcended

¹ Not on L/P&J/10/84. See Wavell Papers, Official Correspondence: India, January 1946-March 1947, pp. 164-6.

² and ³ Not on L/P&J/10/84.

in both Bengal and Sind. When a Governor has lost the respect of a very large number of the people of the Province and is considered to be partial to particular groups, then his utility ends and his continued presence is a challenge and a provocation.

Previously I have written to you about some of these matters and requested you to inform HMG of our views in regard to them. I do not want HMG to remain in ignorance now, and then to be confronted suddenly with grave developments. I trust, therefore, that you will be good enough to inform HMG of the views of the Interim Government in regard to the matters referred to above.

Yours sincerely,

JAWAHARLAL NEHRU

421

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/PGJ/7/10491: f 15

IMMEDIATE

NEW DELHI, 9 October 1946, 10.10 pm

Received: 9 October, 8.15 pm

2137-S. Following is message telegraphed yesterday by Pandit Nehru to Aung San. *Begins.* Our Government is anxious to withdraw Indian troops from Burma and elsewhere outside India. We suggest consultation with you and G.O.C. in Burma, so that whatever steps might be taken should not, repeat not, upset conditions in Burma, and be embarrassing to your Government. Our past policy has been one of gradual withdrawal, reducing present number of troops in Burma to less than half by April next. Should be grateful to have your Government's views on this subject. Would prefer your coming here with your G.O.C. for consultation and decision on these matters.

Your visit here would also be helpful in considering other matters between Burma and India and in promoting friendship and co-operation between our two Governments which we value closely. Personally, it will give me great pleasure to meet you again and discuss many matters of common interest, including the proposed Asian Conference.¹ *Ends.*

2. This was sent without consulting with me though Nehru mentioned it to his colleagues.

Repeated to Governor of Burma.

¹ On 12 September 1946 Pandit Nehru, in his capacity as Vice-President of the Indian Council for World Affairs, issued invitations to 32 Asiatic countries to an Inter-Asian Relations Conference. The Conference was to be held in New Delhi between 15 February and 31 March 1947.

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*Field Marshal Viscount Wavell to Lord Pethick-Lawrence**L/PO/10/23*

PRIVATE AND SECRET

THE VICEROY'S HOUSE, NEW DELHI,

9 October 1946

Thank you for your two letters of 27th September¹ and 4th October.²

2. I am still uncertain about the result of the negotiations for a coalition. I went out into camp for one night over the weekend after having answered Jinnah's nine points and believing that a settlement was really in sight. When I came back I found that Bhopal had shoved in a rather intrusive oar and had arranged direct meetings of Nehru and Jinnah. This initiative will be justified if it succeeds, but I think the direct meetings increase the risk of a breakdown because both sides are sensitive and difficult, and one never knows what new point may not come up to wreck the negotiations. There has evidently been some hitch in the last two days over the drafting of an agreed statement by both parties. The difficulty arises over an attempt to find a formula which will admit the representative character of the Muslim League without excluding the claim of the Congress to represent a section of Muslim opinion. I have heard two stories, one that the formula was drafted by Gandhi and objected to by Jinnah, and the other that the formula was drafted by Nehru and objected to by Gandhi on the ground that it went too far in the direction of satisfying the Muslim League. I saw Nehru for a few minutes after the Cabinet meeting this morning and he told me that there was a hitch. Obviously Congress is not making things easy for Jinnah. There seems to be no major point at issue between the parties, but this delay is bad, and we certainly cannot be sure of a settlement yet. I said to Nehru that there seemed to be only a small point at issue, he replied: "Yes, but small points soon become big ones", which is quite true with the [?these] impractical people. I note that Colville will fly out, if necessary. I hope it may not be but I am not too sanguine yet.

3. Krishna Menon's activities will soon become an embarrassment to Nehru, and I gather Nehru is already aware of some of his imperfections. Your first letter tells of his attempt to secure an interview with you by falsely reporting that he had a letter for you from Nehru, and your second, of his misrepresentation in Paris that he had become leader of the Indian Delegation. He has asked Nehru to be allowed to go to Paris and call on M. Bidault. Nehru has not accepted this, but I understand he proposes to send Menon to Moscow to follow up the contact with Molotov. If this is to be in any sense an official mission,

¹ No. 376.² No. 410.

I shall expect him to refer this proposal to his colleagues and to me before Menon is sent off. But there may be something to be said for giving Menon a long rope.

I understand E. A. Department have informed you that Nehru has had a reply from Molotov through the Soviet Chargé d'Affaires in London.³ The letter says that the Soviet Government "express their readiness to develop friendly relations with India and to exchange diplomatic and other representatives". It regrets however that no food can be made available at present for India.

4. Your little friend Sudhir Ghosh has arrived back here—with a well swollen head. He rang up Abell and said that he would like an interview with me and that you thought it would be a good thing. I did not think it necessary to see him as when the principals are in Delhi I can easily deal with them, and of course I see Nehru and Patel frequently. Sudhir Ghosh saw Abell and my D.P.S.V. instead. He treated them as very small fry, and informed P.S.V. that he was unpopular and mistrusted!⁴ According to his own account, of the credibility of which I cannot judge, he was treated in London with great consideration. He says that he saw the Prime Minister on several occasions and yourself frequently. He claims to have been consulted by *The Times* on every leading article they wrote about India while he was there and that they agreed to cut out anything of which he disapproved. When he went to Paris he was apparently put up at Government expense. He also went to Geneva to see Cripps, I do not know whether this was also at the expense of Government.

As I told you, I had evidence before Ghosh went to England that he has little regard for the truth, so much of the above may be incorrect. But I must say again that I think it is a great mistake to pay much attention to an emissary of a single party. It would be interesting to see what the Congress reactions would be if the expenses of a Muslim League propagandist in Paris were paid by His Majesty's Government. All this very greatly increases my difficulties in getting the parties together, since it naturally arouses the suspicions of Mr. Jinnah. Apart from the effect on the League, when a man like Ghosh comes back he undoubtedly goes well beyond the facts in describing his reception in London, and this convinces the Congress that whatever line I may take with them, they can always get what they want from His Majesty's Government. I am sorry that my protests and warnings in this matter were ignored; and were not even accorded the courtesy of an answer.

5. As I have told you by telegram⁵ I think it would be best for Shone to put proposals to the Interim Government about the visit of representatives of the British Council. The British Council will get off to a better start if the approach is made in this way, and I think it is worth while incurring a little extra delay.

6. Thank you for your efforts in Cabinet on our behalf in regard to food.

I recognise the difficulty of His Majesty's Government in agreeing to the diversion of wheat from Canada but I hope you will continue to press our claims and to secure quick transport of all cereals destined to India. Quick movement of Indonesian paddy will help us as much as anything, and we shall have to keep up the pressure about this also. The reversal of the decision about trucks was a great success for you.

7. The Commander-in-Chief told me he had an hour the other day with Nehru and Baldev Singh about Indian troops abroad. It seemed that they would be satisfied if all Indian troops were out of N.E.I. by the end of November. Malaya was not mentioned; little was said about Burma, but Nehru apparently proposed to discuss it with Aung San. They were worried about the Indian troops in Iraq, for fear of becoming involved with Russia (the Commander-in-Chief says it was evident that Baldev Singh was unaware of the difference between Iraq and Iran)! There was no talk of immediate withdrawal of all troops; but I may all the same get a written demand later on different lines.

8. You telegraphed to me⁶ about the visit of Mr. Brownell, the representative of the President of the U.S.A. He has come to luncheon with me and we had a talk. Clearly the U.S.A. are extremely keen to secure an agreement, and Brownell put it strongly that it would be "most unfortunate" if we did not meet America on this point. He seemed to think that civil aviation policy in India was entirely settled by Tymms, but I told him this was quite incorrect and that Tymms had very recently been overruled on a major matter of policy; that he must understand the Indian point of view which was very strongly nationalistic at this time and which would make it difficult for him to secure the agreement which is wanted by the U.S.A. I added that the decision of the Interim Government could not of course be controlled by me or by His Majesty's Government and that indeed a suggestion from us in one direction might lead them to go in the other.

9. Caroe is disturbed about Nehru's proposal⁷ to visit the Tribal Areas and has come down to discuss the matter. I expect Nehru will have to have his way, but if a coalition is obtained first I shall try to get him to take a Muslim member of the Cabinet with him, "to show a united front". Should he make the visit immediately after a breakdown of the negotiations it would undoubtedly be embarrassing. But I am not going to allow a breakdown if I can possibly prevent it.

10. I have mentioned in our private correspondence Wylie's difficulties with his ministry over Measures, the I.G. of Police, and his action in issuing a circular which caused offence. Wylie has now reported further developments.

¹ See No. 423.

⁴ See No. 417.

⁵ 2125-S of 9 October. L/1/1/79.

⁶ See No. 363, note 10.

⁷ See No. 382, note 1.

It appears that Pant sent for Measures and told him the more unpalatable parts of his (the Premier's) original proposals for dealing with the case and of the Governor's compromise solution. Measures was told that he had to withdraw his circular and apologise, and was told that in future he must be more alert and keep an eye on the Muslim League. The full scope of the Governor's decision was not indicated at all. Measures, not realising that he was being misled by Pant, put in his resignation at once. Wylie has now refused to accept this resignation and proposes to discuss the matter with Pant this week. I will keep you informed of developments, but I hardly expect a major crisis as it is fairly clear that Pant did not get support from the High Command when he came to Delhi to discuss this matter.

[Para. 11, on the passage to India for Lord Wavell's daughter, omitted.]

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Government of India, External Affairs Department to Secretary of State

Telegram, L/P&S/12/4045: f 7

IMPORTANT

NEW DELHI, 10 October 1946, 6.40 am

Received: 10 October, 6 am

No. 8715. My telegram 8247 of September 23rd.¹ Following is text of personal message from Molotov to Pandit Jawahar Lal Nehru, handed to Krishna Menon by Soviet Chargé d'Affaires, London, for onward transmission. Official letter from Molotov is to follow through same channel.

2. *Begins:*

Dear Mr Nehru,

I thank you for your letter and for greetings from Government of India and Indian people to Government of Union of Soviet Socialist Republics and myself, which you have conveyed through Mr Krishna Menon. In reply to your proposal, Soviet Government express their readiness to develop friendly relations with India and to exchange diplomatic and other representatives with your country which is undoubtedly in the interests of both countries. The Government of the Union of Soviet Socialist Republics have with all attention considered your request for food aid to India. However, owing to drought in a number of important agricultural districts of the Union of Soviet Socialist Republics, the Soviet Government unfortunately are unable this year to send any amount of cereals to India. In admitting (?existence) of particular difficulties which are to be overcome at the beginning by new Indian Government and by you personally I wish you success in your work

to perform tasks facing new Indian Government for the good of all Indian people.

Yours sincerely,

M. MOLOTOV *Ends.*

3. My immediately succeeding telegram² repeats text of Pandit Nehru's telegram to Krishna Menon through High Commissioner for India.

¹ No 356.

² See No 431, note 4.

424

Note by Mr Abell

R/3/1/118: f 119

10 October 1946

It should perhaps be on record that Sir B. N. Rau came to see me this morning and told me that the only outstanding point in the negotiations was in regard to the appointment of minority representatives against any future vacancy.

2. The Congress insist that the whole Cabinet should be consulted. The Muslim League insist that consultations should be with the leaders of the main parties. H.E. in his letter to Mr. Jinnah dated 20th June¹ said "If any vacancy occurs among the seats at present allotted to representatives of the minorities I shall naturally consult both the main parties before filling it." Maulana Azad was informed of this reply on the 21st June.² Maulana Azad in a letter dated 25th June³ objected to the apparent inclusion of the Scheduled Caste seat among the seats to which this convention would apply, but did not raise any objection to consultation with both the main parties.

3. H.E. in his reply of the 4th October⁴ to Mr. Jinnah's nine points said that he accepted that "both the major parties would be consulted before filling a vacancy in any of these three seats." (i.e. the seats filled by an Indian Christian, a Sikh and a Parsee).

4. Sir B. N. Rau and I drafted the following formula which H.E. accepted: "If any vacancy occurs in these three minority seats I shall consult the leaders of the two main parties before filling it. In view of the agreement that the Cabinet will work as a team I shall hope to receive a joint recommendation acceptable to the whole Cabinet."

5. Sir B. N. Rau will suggest this formula to the Nawab of Bhopal in the

¹ Vol VII, No. 573.

² Vol. VII, No. 582.

³ Vol. VII, No. 603.

⁴ No. 404.

hope of securing the agreement of both parties to it. The Nawab will be able to let it be known that he has reason to suppose that the formula would be acceptable to H.E.

Place on the file.

G. E. B. ABELL

425

Sir G. Laithwaite to Mr Turnbull

L/PEJ/10/122: ff 193-5

10 October 1946

Mr Turnbull.

Your note below.¹

I attach a note by Mr Morley.²

I have commented myself at I fear much greater length on the *broader* aspects of your letter in the note attached. It may (like your own proposals) be felt to contain some heresy: its object is largely to suggest ideas some of which might affect your draft.

Burma and Ceylon will be materially influenced by whatever road India takes. Either will almost inevitably fall to a greater or less extent in the Indian orbit though China will be a strong competitor in the case of Burma. Neither raises issues in any way comparable in importance to those raised by *India*. The latest indications are incidentally that Aung San *may* wish to avoid severance of Burma from the Commonwealth—and he will be wise and farsighted if he does.

The gap to be filled if India falls out, or cannot be depended on, is for the C.O.S., and the effect of such a state of things on the case for consolidation in Africa is obvious.

J. G. L.

Note by Sir G. Laithwaite

10 October 1946

One accepts the statement in Mr. Turnbull's draft of the factual position in India on which the Burma Office is not of course in a position to judge. But—

- (a) the letter does not refer to the States, or
- (b) to the internal communal division which will persist even if present difficulties are overcome, and which are important in terms of
 - (i) Muslim apprehensions of China and of a Hindu deal with the Chinese.

- (ii) Muslim solidarity with Afghanistan and the Middle East (this can be exaggerated and Middle Eastern interest in India has not in the past been very sharp).

The points taken in (a) and (b) are, I suggest, important to the extent that there will remain in any event substantial elements in India which would still wish the retention of British protection or some association with Great Britain as strengthening their hands internally (in addition of course to putting India in a stronger general bargaining position in the world externally).

2. I agree with Mr. Morley that we may well not be faced with a clear cut decision. India may well aim at a widely drawn formula which will give her the maximum we are at this stage ready or bound to concede, but will give her a card of re-entry or leave her free to manoeuvre (and when the time comes decide) as she may think most to her interest.

3. I wholly agree with the Chiefs of Staff view³ as to the vital importance to us of India as a base, training ground, transit area, and in terms of denying to others its wealth, manpower, commanding position in the Indian Ocean etc. I assume that the Chiefs of Staff expressed themselves on these aspects before H.M.G. decided to make their statement on independence, but clearly the importance of the issues cannot be contested.

4. In considering the general issue we must also I suggest give weight to—

(i) the somewhat "Imperialistic" attitude which it will not be surprising to see the new India take in the field of foreign policy, at any rate so long as Nehru is head of the Government. Her whole inclination will be to endeavour to establish her hegemony in the Indian Ocean area, though in the case of Burma, China will be a rival.

(ii) the natural tendency of any country released from restraints such as India has been subject to, to assert her new-won "independence" and to look elsewhere than to her former controllers for technical advice etc.

(iii) the fact of the existence of U.N.O. and the hope of establishment of the reign of law in the future.

5. I agree also with Mr. Turnbull that India has not the same natural link with the Empire as have what one might call the "White Dominions", and this would equally be true of Burma and Ceylon which are now beginning to reach semi-Dominion status and will be true of certain other Colonial areas in due course. Conquest, largely forced upon us by the necessity of keeping order in defence of an original commercial connection, has been the source of the association, and though we have done our best to administer justly and fairly and in the interests of the country, there comes a point, which has now been

¹ See No. 409, note 1.

² L/P&J/10/122. f 196.

³ See Nos. 254 and 408.

reached, at which equitable handling by some outside power is not enough, and people wish to make their mistakes in their own way. But that point having been reached the only link likely to bind an independent or a Dominion India to the Empire is that of self-interest. The cultural bonds are of some little importance but would easily snap.

6. Accepting the Chiefs of Staff view, accepting also the proposition that self-interest is likely to be the determining factor, the case for examining what we can offer India, and what price we are prepared to pay, for retention of the Empire connection is obvious, and I entirely agree with the proposal in the draft. So far as defence goes we can no doubt do much to link her to us by means of equipment. In the economic field membership of the Empire confers certain advantages (though India may well be disposed to go her own way and to take without wishing to give), and the international advantages of membership of the Empire are very great.

7. It is a question, however, on what one knows of Indian mentality, whether we shall get best results if we appear over anxious to have India in our party at almost any price; or whether we can ever really hope, given the absence of *true* links of association such as those existing with the White Dominions, to have her spontaneous and natural cooperation in the same way as e.g. with Canada and Australia.

8. As Mr. Turnbull suggests the example of Southern Ireland is very relevant (though Southern Ireland is a very small problem, and that country so economically tied up with us that in practice she has to move largely in our orbit). What one would fear would be that we might get a sound *paper* relation with India, but that in practice her position would tend to resemble that of Italy in the Triple Alliance before the war of 1914—completely bound on paper, hesitant when the moment came and possibly disposed to await until the issue of the struggle turned decisively one way or the other before deciding whom to back. I trust that this is a pessimistic view.

9. But on the question of the length to which we should be prepared to go to keep India with us, I venture to feel grave doubt about Mr. Turnbull's suggestion that we should suggest any weakening of the position as regards the Crown. It has I think been generally accepted so far that the Crown, though a most intangible link, is the real and sole link between units of the Commonwealth. Even in the case of Southern Ireland, which has ties of blood much closer with us than India, the nominal link of the Crown has been retained. I think it might strike a very severe blow at the roots of Empire association were we to weaken at all on this issue. I am not sure that it would necessarily go well with the Dominions; and one would expect a pretty critical public reaction here.

10. I question whether it would be worth paying such a price, more particularly when we could not (if the proposition in paragraph 8 has any substance) be certain of receiving the *quid pro quo* in return when the time came. But I recognise that it may be thought well to investigate this possibility, though I personally would regard it as so explosive that I would prefer not to broach it.

J. G. L.

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Lord Petluck-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&J/7/10491: f 4

IMMEDIATE

INDIA OFFICE, 10 October 1946, 8 pm

TOP SECRET

18203. Your telegram 9th October 2137-S.¹ Our telegram to Governor of Burma² offering guidance how to deal with Nehru's message to Aung San is being repeated to you for information. It is designed to cover for the moment the effects at the Burma end of Nehru's approach which if not originating in desire deliberately to embarrass H.M.G. seems at best to be ill-judged.

2. I think you should make early opportunity to point out to Nehru the impropriety of the despatch of messages of this kind without any reference to you. H.M.G. are to the best of their ability fulfilling undertaking to treat India with same close consultation and consideration as a Dominion and it is surely incumbent on the Interim Government to display reciprocally to H.M.G. the same degree of consultation and consideration as Dominion Government would. This is particularly so in case of Burma which is not as yet a Dominion, and where owing to temporary financial dependence on H.M.G. neither the Governor's Council nor its individual members enjoy same constitutional position as the Government of India. Impropriety in this case would have been repaired to some extent if message had been addressed to the Governor who is in fact constitutionally responsible.

¹ No 421.

² Tel. 3965 of 10 October. L/P&J/7/10491. f 6.

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*Field Marshal Viscount Wavell to Pandit Nehru**L/PEJ/10/84: f 50*

No. 1342

THE VICEROY'S HOUSE, NEW DELHI, 11 October 1946

Dear Pandit Nehru,

I have received your letter of the 9th October¹ about the case of the Inspector General of Police in the U.P.

2. I agree with you in regretting such friction as has occurred between the Governor and his Premier, but the Governor's special responsibility still exists, and cannot be treated as if it did not exist. I have been in touch with him throughout and agree with the action he has taken. I have kept the Secretary of State informed, and he will receive a copy of your letter.

3. I do not wish to go into the details and merits of the case, but the reason for Measures' resignation seems to have been a complete misunderstanding of the terms of the decision which the Governor had taken in his individual judgment, and it is because of this misunderstanding, which I will describe to you in more detail if you wish when we meet, that the Governor has refused to accept the Inspector General's resignation.

4. You mention one or two other matters. I do not know whether you have seen the ordinance to which you refer. It does go a very long way to limit the liberty of the subject, and the Governor was perfectly right to consult me about it. The delay of a day or two could certainly not be considered objectionable in view of the importance of the legislation; and I may tell you for your personal information that the Governor did not suggest, as you seem to assume, that the ministry should be overruled.

5. I need hardly say that my conception of Provincial Autonomy does not vary from Province to Province. In regard to all Provinces I exercise control over the Governor where he acts in his individual judgment. Such control has to be exercised by me personally and I cannot share this responsibility with the Cabinet here. I do not accept for one moment your imputations of partiality to the Governors. They are doing their best in a difficult position.

6. I have already made enquiries about the allegations made by Mr. Syed of interference by an official in the Sind elections. Such interference, if substantiated, will not of course be tolerated. Clear instructions have been issued on

this subject, and the Governor will do all he can to ensure free and fair elections.

Yours sincerely,

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Pandit Nehru to Field Marshal Viscount Wavell

L/P&J/10/84: f 51

17 YORK ROAD, NEW DELHI, 11 October 1946

Dear Lord Wavell,

Thank you for your letter No. 1342 of the 11th October.¹ I do not think it would serve any useful purpose to discuss further the case of Sir Philip Measures, the Inspector-General of Police in the United Provinces. This case has been considered and discussed repeatedly during the last few months and the U.P. Cabinet came to a decision unanimously. There is no misunderstanding in the matter, and if there is a misunderstanding, it is obvious that the Governor and the U.P. Ministry cannot understand one another. In the result the U.P. Cabinet decision has been over-ridden by the Governor and even Measures' resignation not accepted. You write to me that you agree with the action of the Governor. I shall be grateful to you if you will let me know definitely whether this means that Sir Philip Measures is going to continue as Inspector-General of Police in the U.P. in spite of the decision of the U.P. Cabinet. If so, then naturally some other consequences will inevitably follow as it is not possible for any Provincial or other Cabinet to submit to such an imposition. I have no doubt that you and the Secretary of State for India realise what these consequences are likely to be.

Yours sincerely,

JAWAHARLAL NEHRU

¹ No. 427.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/118: ff 122-3

IMMEDIATE
SECRET

NEW DELHI, 11 October 1946, 6 pm
Received: 11 October, 5.30 pm

No. 2148-S. Bhopal asked Abell to see him this morning and gave an account of his negotiations which have broken down.

2. He said that he undertook negotiations at the request of Gandhi. After various preliminary discussions the main point outstanding seemed to be the production of a formula which would recognise the Muslim League as the representative body of Muslims in India. Gandhi accepted a formula which spoke of the Muslim League as representing "the overwhelming majority of Muslims". Then at the instance of the Patel group he added a rider to the effect that the two parties would agree to work as a team and would never invoke or permit the intervention of the Governor General.

3. Inevitably the rider was unacceptable to Jinnah. However it was hoped that some way to get round this would be found and meanwhile other points were discussed. The next point of difficulty was about consultations to be held by the Governor General before filling any casual vacancy in the three seats of the minority representatives other than Scheduled Castes. My undertaking¹ is to consult both the main parties. Congress wanted the whole Cabinet to be consulted. Jinnah naturally preferred my formula. The division on this point as on the other was due to Congress determination to eliminate the Governor General and to Jinnah's refusal to acquiesce in a position which would have meant the capture of complete power by the Congress.

4. It was found impossible to get over the difficulties on these two points and the Muslim League will meet this evening to consider sending a reply to me. Jinnah will probably see me tomorrow with their answer and I gather the League may come in, though without any understanding with Congress.

5. Even if they do we have still to deal with the problem of portfolios, and the abortive negotiations of the last week have not improved the atmosphere. The worst feature however is the Congress attempt to secure complete power in the Interim Government which has always been their objective and which renders the League so extremely suspicious of them. I have warned HMG of this on several occasions previously. I will telegraph further tomorrow.

¹ See No. 424.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, L/P&J/7/10491: f 2

IMMEDIATE
TOP SECRET

NEW DELHI, 11 October 1946, 7.55 pm
Received: 11 October, 5.25 pm

No. 2149-S. Your 18203 October 10th.¹ I have sent the following letter to Nehru. *Begins:* I have now seen your telegram dated 8th October to Aung San, about the withdrawal of Indian troops from Burma.

2. This telegram should not have been sent without consultation with me. It is clearly a matter of major policy (? for) Government (? and I) [? of India] and raises issues with which I am bound to concern myself.

3. Also it is right to remember our relations with H.M.G. They are fulfilling to the best of their ability the undertaking to treat India with the same close consultation and consideration as a Dominion and it is incumbent on the Interim Government to reciprocate especially in dealing with Burma. Burma is not yet a dominion, and neither the Governor nor the (? Council), nor its individual members enjoy the same constitutional position as the Government of India. A telegram on this matter should have been addressed to the Governor, who is constitutionally responsible. *Ends.*

Repeated to Governor of Burma.

¹ No 426

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

*Wavell Papers. Private Correspondence: Secretary of State, October 1943–
December 1946, pp. 132–4*

PRIVATE AND TOP SECRET

INDIA OFFICE, 11 October 1946

I sent you on the 10th October a repetition of my telegram¹ to Rance containing my suggestions how he might hold the position in Burma brought about by Nehru's unorthodox approach to Aung San² over the matter of Indian troops in Burma, and separately asked you³ to see whether you could make any impression on Nehru as to the undesirability from all points of view of such irregular actions—so unlike what we can confidently expect of a

¹ Tel. 3965 of 10 October. L/P&J/7/10491: f 6.

² See No. 421.

³ No. 426.

Dominion Government. Nehru is of course inexperienced in the proprieties expected of a member of one Government in doing business with the Government of another country, and not unnaturally desires to elevate the position of the leaders of all Asiatic nations. But I share your misgiving both as to the immediate consequences of his action, and the possibility that they may in the long run impede the steady progress towards self-government which it is his aim to see realised in these countries. Also in common with you I am far from happy about his selection of Krishna Menon as a sort of unofficial ambassador-at-large, charged with the task of laying the foundations for diplomatic relations with a variety of foreign governments.

There seem to be two aspects of this matter. In the first place it is not at all clear to me how far Nehru has been acting with the approval of his colleagues or on his own. The question of the widening of India's diplomatic relations, and in particular the question with what foreign governments and in what order of priority it is to India's interest to establish such relations, is of course essentially a matter for discussion in, and decision by the whole Cabinet or Council including yourself. You will be able to judge far better than I can on what lines he is proceeding and as to when and by what means you should bring your influence to bear on him in this matter.

The other aspect is the way in which Menon has been discharging the task entrusted to him, and more particularly the rather embarrassing trend, from His Majesty's Government's point of view, of the approaches that he has made in one quarter or another. The message from Nehru to Menon, which was repeated to me in External Affairs Department telegram No. 8716 of 10th October,⁴ seems possibly to indicate that Nehru himself has some misgivings whether Menon, without anyone to control him as the official Indian Delegation in New York will be able to do, may not have been exceeding the latitude accorded to him. As to this I have been shown two messages from him to Nehru, dated 29th⁵ and 30th September,⁶ sent *en clair* (which the Security people here picked up): and it may be significant in relation to my first point that one of them at any rate was addressed to Nehru at his private and not his official address. There is nothing in them to which one can take very precise exception; but they show that he took the opportunity of his visit to Paris for the purpose of approaching Molotov on the matter of grain supplies to make contact with, express sympathy with, and generally to indicate India's desire to line up in the international field, with Russia rather than the Western bloc. For example, he writes off the American and British proposals in regard to the Trieste question as just "Colonialism"; the position taken by the Indian Delegation in regard to Czech and Magyar questions—which I should not have thought were of any very direct concern to India—are described as unsatisfactory and inconsistent with India's national position, aspiration and dignity; he indicates that the Indian Delegation in Paris is generally believed by other

nations to take its brief from the British Delegation and to vote accordingly, but that there is a general hope that this may all be changed under the influence of the Interim Government; and finally he reports that, as was to be anticipated, he has an assurance from the Soviet representative that Russia will support India's case in the U.N.O.—presumably, in particular, in respect of the India-South Africa controversy.

I think that in these days information obtained by the Security people here will no longer be available to you; and though I do not imagine that you will be able to make much, if any, actual use of this information, I thought that you ought yourself to know of the general trend of activity of this unofficial emissary.

⁴ In this message Pandit Nehru thanked Mr Krishna Menon for sending the text of Mr Molotov's reply to the request for foodgrains (see No. 423). On the subject of Mr Menon's future movements, Pandit Nehru felt he should, in the first place, establish unofficial contact with representatives of other countries in New York and should not visit Paris before going there L/P&S/12/4639A

⁵ and ⁶ L/P&J(S)/File 49 of 1928

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

L/PO/10/23

PRIVATE AND SECRET

INDIA OFFICE, 11 October 1946

Received: 19 October 1946

I have just received the duplicate copy of your letter of 1st October¹ and of one of the enclosures thereto but the earlier bag with the signed copy and the complete enclosures has not yet arrived so that I shall defer dealing with most of the points you cover until my next letter to you.

2 I am still awaiting the outcome of the conversations between the Congress, Junah and Bhopal. On Tuesday the press messages were optimistic but I have just received your telegram No. 2147-S,² reporting the likelihood of a hitch. You will appreciate with what anxiety I await developments but I daresay that conversations will continue for some days yet. Agreeing the texts of statements when Gandhi is a party on one side is no easy task.

3. The correspondence with Gandhi which you have sent me³ also brings back memories of the Mission! I think you were right not to be drawn into disputation.

4. Colville, who is still standing by in case he is required, called to see me

¹ No. 391.

² R/3/1/118: f 121.

³ Presumably Nos. 372, 373, 377 and 380.

yesterday as he happens to be in London. He is ready to leave at any time subject to 2-3 days' notice. He told me that, if he had to leave within the next two or three weeks, he would wish to come back to this country before resuming the governorship of Bombay but that, as he was planning to leave for India in any event about the middle of November, he would probably forgo the remainder of his leave and not ask to return here again if he had to take over from you after the first week of November. He is being very helpful about all this.

5. During the course of our talk we touched on the question of compensation for the Services and he promised to think the matter over and write to me if he had any personal views to contribute. He made two points of interest bearing on the question of the Services. First, that in his view a number of European officers in Bombay would be quite willing to stay on under an Indian Government provided the terms were reasonable. Secondly, that on the assumption that the Interim Government continues to function satisfactorily and that the constitutional changes proceed smoothly, the administration in Bombay can be expected to continue to function adequately for a considerable time to come.

6. I am sorry to hear that Nehru is overworking himself. He is so passionate that he may very well try to do more than is humanly possible and this will, I am afraid, increase your difficulties as he will be the more difficult to deal with. I agree that his statements have been good on the whole and that he has shown restraint.

7. The message recently sent by Nehru to Aung San⁴ serves to emphasise the difference in present circumstances between the Government of India and the Governor's Executive Council in Burma, and between Aung San as Vice-President of that Council (and Counsellor for Defence and External Affairs) and Nehru as Vice-President of your Council and Member for External Affairs. Rance's Executive Council is still constitutionally a purely advisory body. It has no electoral mandate, however remote, behind it. It consists of a series of prominent political leaders, some of whom will no doubt emerge after the next elections as members of a Ministry with a majority in the Legislature. Things will be different when that has happened but we are at the moment dealing merely with a gathering of important individuals who by convention are being treated as though they were Ministers with an electoral backing, but who have not that backing at this stage.

8. While we have elaborated this ingenious device for associating the Executive Council with the Governor's responsibilities for Defence and External Affairs, those responsibilities are still essentially Rance's (in the case of Defence there is the further complication that Burma, for Defence purposes, comes

under A.L.F.S.E.A. and is in no sense an independent Command with the G.O.C. responsible as he was before the war, to the Governor). Aung San in respect of External Affairs and Defence is purely and simply a Counsellor under the terms of Section 7 of the Government of Burma Act, whose function is to assist the Governor to the extent to which the Governor may wish to use him in discharging the Governor's responsibilities for Defence and External Affairs.

9. Aung San, as Vice-President, does not in any sense occupy the position of a Chief Minister or correspond to Nehru in the Indian set up. He is the principal person of the majority party in the Council, and will be very likely Chief Minister after the elections. But at the moment he is not; and endeavours to treat him as Chief Minister or to deal direct with him on subjects of interest of [? to] India which are not in his portfolio, may well have disruptive effects inside the Council, which for personal reasons, may in any case have some difficulty in avoiding disruptions in the months that come.

10. One does not want (and it would indeed be most unwise) to elaborate all this to Nehru, but the slightly fuller background which I have tried to give you may be of some help to you in any conversations about Burma that you have with him. We must, I am sure, keep within the lines, or else there will be great embarrassment for both parties; while, so far as Burma is concerned, there might well be constitutional reactions that would set back rather than advance the programme on which we are so laboriously trying to work.

11. There is still no definite indication as to when the debate on India will take place in Parliament. The Cabinet yesterday reaffirmed their view that such a debate should be deferred for the time being.⁵

12. I have received a telegram from Syed of Sind⁶ alleging that Sind Government officials are blatantly interfering in the elections and working for the Government party. He asks me to arrange for two Members of Parliament to be present at the elections in December in order that they may see for themselves the extent of this interference. I am not sending any reply to this. I remember that widespread accusations of this kind were made in the Provincial elections in the Spring and I daresay that Indian officials find it almost impossible to remain wholly impartial. We cannot expect the same standards in these matters as prevail in this country. It is quite likely, however, that questions will be put in Parliament about these accusations, and I should be obliged if you would ask Mudie to include in his fortnightly report a paragraph dealing with the conduct of the elections which will provide an authoritative basis for dealing with any such questions.

⁴ See No. 421.

⁵ C.M. (46) 85th Conclusions, Minute 2. R/30/1/8. ff 103-4.

⁶ L/P&J/8/648: ff 34-7.

13. Another telegram⁷ I received during the past week was from Dr. P. N. Banerjee, emphasising the gravity of the present communal position in Calcutta; complaining that neither the Governor nor you showed any signs of exercising the special responsibilities for the maintenance of law and order; and soliciting my intervention. The cable has been acknowledged by air mail. The newly-found enthusiasm of the Hindus in Muslim-majority Provinces for the Governor's special responsibilities is hardly shared by Hindus in Hindu-majority Provinces!

14. I see from Caroe's fortnightly letter of 23rd September⁸ that he was having difficulties with Khan Sahib over interference with the magistracy. I hope that this trouble has blown over as I have had nothing from you about it, but I should be grateful if you could let me know what has happened.

[Para. 15, on the non-recognition of the American wife of the Maharaja of Indore, omitted.]

16. I heard recently from Sapru who says he is getting better although his illness prevented him from accepting the offer of a seat in the Constituent Assembly "very courteously made to me by Jawaharlal Nehru and the Premier of the U.P.", as he put it. The object of his writing was to express the hope that Sir Henry Braund's talents could be utilised in connection with India. As I think you know, I saw Braund on his return and share the general regard for his character and abilities. I have already mentioned his name here to the Lord Chancellor but I agree with Sapru that, if possible, his services ought not to be entirely lost to India and I would be very grateful if you would consider whether there is any special niche in India that he could appropriately fill and, if there is nothing at the moment, would continue to bear him in mind. I am given to understand that Braund would not be likely to be averse to returning to India provided he felt the appointment offered him to be suitable. Incidentally, Sapru also spoke warmly of Kamalakanta Verma.

17. I was interested to see your reference to Governors⁹ about the conferment of English honours and Indian titles on Indians and note that we shall probably be hearing from you shortly on the matter. Nehru is not wasting much time over indulging those whims with which one is familiar from his autobiography¹⁰

[Para. 18, on an honour for Sir H. Knight, omitted.]

⁷ L/P&J/7/10521

⁸ L/P&J/5/223: ff 67-9.

⁹ Tel. 2043-S of 28 September. L/PO/12/Temp. No. 10: 'Awards of Honours and Titles to Indians'.

¹⁰ J. Nehru, *An Autobiography with musings on recent events in India* (London, John Lane, The Bodley Head, 1936).

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*Mr Jinnah to Pandit Nehru**L/PEJ/10/75. ff 79-80**12 October 1946*

I received your letter dated October 8th¹ yesterday, in reply to my letter of October 7th.²

I regret that you and your colleagues do not accept the formula agreed to by Mr Gandhi and me. Mr Gandhi and I had also agreed that on that basis you and I should meet in order to negotiate and settle the few other points that remained, for the purpose of reconstituting the interim Government. Accordingly, arrangements were made for our meeting on October 5th.

I am surprised to gather from your letter, when you say that the meeting was not arranged so far as you were aware, on the agreed basis of that formula. The only formula agreed upon between Mr Gandhi and me was that which was mentioned in my letter of October 7th. I had not mentioned in my letter what is referred to by you as paragraph two, as that was one of the points among others to be further examined and discussed by you and me. This arrangement was actually put on record.

At our first meeting on October 5th, we discussed all these points, and you informed me that you would let me know the time that would suit you to meet me next day, but instead of that I received your letter of October 6th.³ In this letter, you yourself referred to the formula as the one mentioned in my letter of October 7th and expressed your view that the formula was not happily worded, and suggested a modification by inserting a proviso as follows: "provided that for identical reasons the League recognizes Congress as the authoritative organisation representing all non-Muslims, and such Muslims as have thrown in their lot with Congress" or else, if that was not agreed to, you suggested that no formula was necessary. There is no reference in your letter to what you describe as paragraph two as part of the agreed formula, and you yourself dealt with that point quite separately in the opening paragraph of your letter, which runs as follows: "We are all agreed that nothing would be happier and better for the country than that these two organisations should meet again as before as friends having no mental reservations, by mutual consultation, and never desiring or allowing the intervention of the British Government through the Viceroy or others, or of any other foreign power."

That, in substance, was the idea of paragraph two mentioned by you, which among other matters was to be examined and discussed. I also referred to this matter in my reply, stating that I appreciated and reciprocated the sentiments expressed in paragraph one of your letter of October 6th.

¹ No. 416.² No. 413.³ No. 412.

I fail to understand why you and your colleagues should have been disturbed not only by my letter of October 7th, but also by the list of points attached to it. There was nothing new in that list of points which we had not discussed on the first day, as it is clear from your letter of October 6th, wherein you yourself have dealt with every one of the points mentioned in the list that I sent to you. Let me take, one by one, the points in the list sent you in writing: 1. The total number of fourteen; that was not in dispute. 2. The Scheduled Castes representative: that the League must not be taken to have agreed or approved the selection which was referred to in paragraph two of your letter. 3. Nomination of a Muslim in the Congress quota: the matter was discussed. 4. Safeguard: that was discussed, as is clear from point four of your letter. 5. Alternative or rotational Vice-President: this was discussed, and is referred to as point number five in your letter. 6. Vacancies occurring in the seats allotted to the minority representatives: this matter was discussed and is referred to by you in your letter, point number three. 7. Portfolios: The matter was discussed. 8. No change in the arrangements agreed to, without the consent of both the major parties: this was discussed, and is referred to in the last paragraph of your letter. 9. The long-term question: this was discussed, and is mentioned in your letter in the last but one paragraph.

All these points were discussed, as is clear from what I have pointed out above, and the list was sent you merely as a matter of convenience and preciseness.

You state in your letter under reply that your position is the same with regard to various matters that were discussed between us, as is mentioned in your letter of October 6th, except for some variations, which you have indicated in your letter.

The following are the variations, and my reaction to them: 1. That you would accept the formula provided paragraph two is included in the formula, and is made part of it. This constitutes a fundamental departure from the original formula, upon the basis of which I had agreed to have discussions with you. I cannot agree to this variation.

2. Provided that the Muslim League does not challenge that Congress represents the minorities and Nationalist Muslims, as indicated in the terms of your previous letter of October 6th, and referred to in your letter under reply.

This again is a serious departure from the agreed formula. Besides, this is a matter for the minorities concerned.

I note what you say with regard to points two, three and four of your letter of October 6th re the Scheduled Castes representative and other minorities, the position about vacancies occurring in the future in seats allotted to the minorities, and the procedure to be adopted with regard to the major communal issues. Even with regard to these points, there is no agreement between us.

With regard to point number five, about the Vice-Presidentship, I note what you say.

Since you have stated your position after full and careful consideration of all the issues involved, and after consultation with your colleagues, I presume that it follows that this is your final stand. I deeply regret that we have failed to come to an honourable agreement of our own, satisfactory to both parties.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/118: f 126

MOST IMMEDIATE
SECRET

NEW DELHI, 12 October 1946, 12.50 pm
Received: 12 October, 9 am

No. 2150-S. Jinnah sees me at 5.30 this evening. It is just possible that he will hand me his five names. If so I should like to announce the appointments to the Cabinet immediately. The names are almost certain to be the following which were suggested before:

Mr M. A. Jinnah.
Mr Liaquat Ali Khan.
Sardar Abdur Rab Nishtar.
Mr Mohammed Ismail Khan.
Khawaja Nazimuddin.

2. Grateful if you could obtain Palace approval. Perhaps His Majesty would also agree to the list being amended in the event of different names being suggested. Grateful for immediate reply if possible.

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Note by Field Marshal Viscount Wavell

R/3/1/118: ff 127-9

SECRET

12 October 1946

NOTE OF AN INTERVIEW WITH MR. JINNAH 12TH OCTOBER 1946
Mr Jinnah said that he had four points to discuss with me.

1. His first point, which he said was not vital, was the question of who appointed the Leader of the House in the Assembly. I said that I did.

2. He then asked whether, since the Congress had the right to nominate a Muslim in their quota, he had the right to nominate a Scheduled Caste or representative of other community in his quota. I said that I supposed that he had, but would like to consider the matter.

3. He then went on to the matter of portfolios, on which we had a long discussion. It all narrowed down in the end to the matter of his trying to get either External Affairs or Defence for the League, with a view I imagine to his own position if he decides to come into the Cabinet himself. He was quite prepared to leave Finance with Dr. Matthai; and he finally suggested the following distribution of portfolios:

External Affairs, Home (but without Information and Broadcasting), Industries and Supplies, Works Mines & Power, Labour, Food and Agriculture to the Congress;

Defence, Commerce, Transport, Posts & Air, Law to the Muslim League
Finance to Dr. Matthai, Education (with Information & Broadcasting) to Baldev Singh, and Health to Bhabha (about whom he made some disparaging comments).

He spoke at some length of the advantages of having a Muslim in the External Affairs Department, and it seemed obvious to me that he wanted either External Affairs or the Defence Department for himself.

4. His 4th point was that he should be at liberty to say that the basis of the Interim Government was the decision of HMG and myself; that he did not approve it, but that taking into consideration the interests of his own party and of India as a whole, he was prepared to accept. I said that he could of course word the recommendation of his Working Committee to this effect, but that I hoped that in the interests of general cooperation and harmony he would not stress his disapproval too much.

5. We then went back to the question of the non-Muslim representative which he had in mind to nominate. I said that it would look rather like 'tit for tat', a counter to the Congress nomination of a nationalist Muslim, and would therefore be rather an embarrassment to me, since I should like my Cabinet to work in as much harmony as possible. We had a long discussion on this matter, and I gathered that the man they had in mind to nominate was a Scheduled Caste representative, at present a Minister in Bengal.

6. He then told me about the recent negotiations, which had been initiated by Bhopal, either at the instance of Gandhi, or on his own initiative. Gandhi had produced a formula to the effect that the Muslim League, as a result of the recent elections, represented an overwhelming majority of the Muslims of India, but that the Congress still maintained their right to nominate a Muslim. Jinnah accepted this formula, but it was turned down by the Working Committee of Congress.

On the same bit of paper, but apparently not as part of the formula, Gandhi had written an agreement that the Congress and the League should work together as a team, should never seek or accept the intervention of the Governor-

General or any other authority, or of a foreign Power; but Gandhī had said that this was open to discussion.

I gather that Jinnah's discussion with Nehru on this and on other points had been completely unfruitful. Nehru was not at all forthcoming, had attempted to modify Gandhī's formula on lines completely unacceptable to Jinnah, and had not been at all helpful.

Jinnah said that the only concession he had got out of Nehru was that while the latter maintained his position as Vice-President, he was apparently content that a Muslim should become Leader of the House in the Assembly.

7. I undertook to write to Jinnah about his right to nominate anyone he liked in his quota, and also to say that portfolios would be settled later. He then undertook to give me his names within 24 hours.

8. He finished up by asking whether it would be all right for Liaquat, who was one of the names he proposed to nominate, to go down to Karachi, where he was already overdue on a matter of nominations for the forthcoming elections. I said that many of the present Cabinet had been Sworn In several days late, and that there would be no difficulty about Liaquat.

9. It is obvious that the League wish to come in, that Nehru, as the Congress President, has done nothing to smooth the path for them, and that the Coalition Government, if formed, will not be all pulling in the same direction.

W.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/PE/J/10/75: ff 126-7

MOST IMMEDIATE
TOP SECRET

INDIA OFFICE, 12 October 1946, 3.30 pm
Received: 12 October, 10.50 pm

No. 18325. Your telegrams 2148-S and 2150-S.¹

It would I think be premature to obtain King's approval for whatever 5 names Jinnah may put until we are able to assure him of existence of sufficient vacancies and to inform him which of present Members will resign. (In previous similar situations we have had requisite resignations in hand). I suggest therefore that on your assumption that Jinnah presents 5 names without condition or understanding with Congress you should inform Nehru that you now have 5 unconditional League nominations and ask him how he proposes that room should be made for them within stipulated number of 14. No doubt you will make final appeal to Nehru to arrange resignation of 3 present Moslems but if

¹ Nos. 429 and 434.

we are correct in assuming from absence of reference to point by Bhopal that Jinnah has now waived his insistence on no Congress Moslem it remains open to Congress to retain 1 Moslem in place of 1 Hindu.

2. If Nehru were to make some further stipulation affecting your position I agree that we should be confronted with direct challenge by Congress of principles on which Interim Government has been established.

3. In the meantime I am informing Palace of position so that as soon as you tell me that vacancies have been made King's authority to announce new appointments may be given you with minimum delay.

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Field Marshal Viscount Wavell to Mr Jinnah

R/3/1/118: f 130

No. 592/47

12 October 1946

Dear Mr. Jinnah,

I confirm what I told you this evening, that the Muslim League are at liberty to nominate any one they wish for their own quota of seats in the Cabinet, though any person proposed must of course be accepted by me and by His Majesty before being appointed.

2. My intention is to discuss portfolios when all the names have been received, both from the Muslim League and the Congress.

Yours sincerely,
WAVELL

438

Mr Abell to Mr Harris

M/PGG/File 4087 of 1946: ff 67-9

No. 493

THE VICEROY'S HOUSE, NEW DELHI, 12 October 1946

Received: 21 October

My dear Harris,

H.E. asks me to send, in continuation of his telegram No. 2149-S of the 11th October,¹ a copy of a letter dated the 11th October which he has received from Pandit Jawaharlal Nehru.

Yours sincerely,
G. E. B. ABELL

*Enclosure to No. 438**Pandit Nehru to Field Marshal Viscount Wavell*

17 YORK ROAD, NEW DELHI, 11 October 1946

Dear Lord Wavell,

I have received your letter No. 493 of the 11th October² regarding the telegram I sent on the 8th October³ to Major General Aung San.

2. On Sunday last the Defence Member and the Commander-in-Chief came to see me to discuss specially the question of Indian troops abroad. They were good enough to give me facts and particulars in regard to them and to point out the implications and the consequences of withdrawal. The Commander-in-Chief suggested that it would be desirable to consult Major General Aung San and that if he could come to Delhi with the GOC in Burma, such discussions would be facilitated. The Defence Member agreed with this suggestion. Thereupon I drafted a telegram and sent it to the War Department. I understand that the Defence Member consulted the Commander-in-Chief about it and then returned it to me with one or two minor corrections. The telegram was then sent.

3. I would have gladly shown you the telegram before it was sent. But as the original suggestion came from the Commander-in-Chief, who I take it is most concerned with the matter, and as it was merely an invitation to a discussion, I did not think that any decision of a major policy was involved.

4. You know what our declared policy has been in regard to Indian troops abroad. The day after I took charge I wrote to the War Department on the subject and informed them that this matter would be considered by the Cabinet at an early date and suggested that they might prepare a note on this subject. I waited for the Defence Member. On his arrival he informed me that he had taken up the matter with the Commander-in-Chief and would bring it up before the Cabinet later. I did not wish to hurry him or the Commander-in-Chief and so this matter has been kept pending for the last three weeks.

5. It was in this connection that the Defence Member and the Commander-in-Chief came to see me on Sunday last. They felt that before the matter was considered fully by the Cabinet the reaction of the new Government in Burma should be obtained and the best way of doing this was to consult Major General Aung San.

6. As this question has now come up for consideration in one of its aspects, it is desirable that it should be put up before the Cabinet at an early date and all its implications considered and a decision taken. This would involve not only

¹ No. 430.² See letter in No. 430.³ See No. 421.

the withdrawal of Indian troops from Burma but from other countries also. At the next session of the Legislative Assembly this question is certain to be raised by many members and the policy of the Government must be clearly defined before that meeting.

7. Some days ago I received a letter from His Highness the Aga Khan from Montreux, Switzerland.⁴ A copy of this letter was sent to you for your information as I thought it would interest you. In this letter you will no doubt have read the reactions of a very conservative Indian politician to the retention of Indian troops abroad. That, I might say, is a universal sentiment in India and if we are to represent the people of India and be responsible to them for our actions we must respect and give effect to that decision.

8. I am not unaware of our relations with HMG. But I do not understand how those relations come in the way of our conferring with the present Government of Burma on a common matter of interest to both. We shall naturally keep HMG. informed of these consultations. Whatever the constitutional position of Burma may be today, a reference to the most important member of that Government can in no way be unconstitutional or improper. I meant no discourtesy to the Governor of Burma and I would have gladly sent the telegram to him or through him. But as it was suggested to me that the invitation might be sent to Major General Aung San directly, I accepted this suggestion.

9. You will no doubt appreciate that any questions between India and Burma, or any other country, can be more easily dealt with if the first approach is informal and often on a personal basis. Official approaches are stiff and lead to commitments at too early a stage. They involve also often enough red tape and delay.

Yours sincerely,

JAWAHARLAL NEHRU

⁴ Not traced.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/118: f 134

IMMEDIATE
SECRET

NEW DELHI, 13 October 1946, 12 noon
Received: 13 October, 12.30 am

No. 2155-S. I saw Jinnah last night for an hour and half.¹ He asked whether he had the right to nominate a Scheduled Caste or representative of other minorities in his quota. After a long discussion in which I pointed out that

such nomination would not help towards harmonious working of the Cabinet, I agreed that [he] had such right. We discussed the allotment of portfolios, and he made it clear that the Muslim League would like either External Affairs or Defence. He was quite prepared to leave Finance with Matthal.

2. He recounted the recent negotiations, and blamed Nehru for being most unhelpful, and rejecting Gandhi's proposed compromise formula.

3. After the interview I confirmed in writing² that the Muslim League could nominate any one they liked in their quota; and Jinnah promised that I should have his five names today.

¹ See No. 435

² No. 437.

440

Mr Jinnah to Field Marshal Viscount Wavell

R/3/1/118. f 135

10 AURANGZEB ROAD, NEW DELHI, 13 October 1946

Dear Lord Wavell,

The Working Committee of the All-India Muslim League have considered the whole matter fully and I am now authorised to state that they do not approve of the basis and scheme of setting up the Interim Government, which has been decided by you, presumably with the authority of His Majesty's Government.

Therefore, the Committee do not, and cannot agree with your decision already taken, nor with the arrangements you have already made.

We consider and maintain that the imposition of this decision is contrary to the Declaration of August 8, 1940,¹ but since, according to your decision we have a right to nominate five members of the Executive Council on behalf of the Muslim League, my Committee have, for various reasons, come to the conclusion that in the interests of Mussulmans and other communities it will be fatal to leave the entire field of administration of the Central Government in the hands of the Congress. Besides, you may be forced to have in your Interim Government Muslims who would not command the respect and confidence of Muslim India which would lead to very serious consequences; and, lastly, for other very weighty grounds and reasons, which are obvious and need not be mentioned, we have decided to nominate five on behalf of the Muslim League in terms of your broadcast dated August 24, 1946² and your

¹ Vol. I, Appendix I.

² No. 199.

two letters to me dated 4th October, 1946³ and 12th October, 1946,⁴ respectively, embodying clarifications and assurances.

Yours sincerely,
M. A. JINNAH

³ No. 404.

⁴ No. 437

441

Field Marshal Viscount Wavell to Pandit Nehru

R/3/1/118: f 136

13 October 1946

Dear Pandit Nehru,

I have now been informed by Mr. Jinnah that the Working Committee of the All India Muslim League have agreed to nominate five persons on their behalf as members of the Interim Government. Will you therefore please let me know as soon as possible what changes you wish to recommend in the present Government to make room for the representatives of the Muslim League, as I wish to obtain the approval of the King to the necessary changes, and to re-form the Government as soon as possible?

Yours sincerely,
WAVELL

442

Field Marshal Viscount Wavell to Mr Jinnah

R/3/1/118: f 137

13 October 1946

Dear Mr Jinnah,

Thank you for your letter of today's date.¹ I am glad to know that the Muslim League has decided to join the Interim Government. Will you please let me have the names of the five representatives, as they have to be submitted to His Majesty for approval; and I should like to re-form the Government as soon as possible.

2. You promised yesterday you would let me have the names today.

Yours sincerely,
WAVELL

¹ No. 440.

443

*Pandit Nehru to Mr Jinnah**L/P&J/10/75: f 81**13 October 1946*

I thank you for your letter of October 12th.¹ In this letter, there are a number of mis-statements. What you have said does not fit in with my recollection of our conversations, or what has taken place during the past few days. I need not however go into this matter now, as I have been informed by the Viceroy² that the Muslim League have agreed to nominate five persons on their behalf as members of the Interim Government.

¹ No 433² No 441.

444

*Pandit Nehru to Field Marshal Viscount Wavell**R/3/1/118. f 138*

17 YORK ROAD, NEW DELHI, 13 October 1946

Dear Lord Wavell,

I have received your letter of today's date¹ intimating to me that Mr. Jinnah has informed you that the Working Committee of the All-India Muslim League have agreed to nominate five persons on their behalf as members of the Interim Government.

I shall place this matter before the members of the Cabinet for their consideration.² It will be necessary for us to know the names suggested by Mr. Jinnah for inclusion in the Interim Government and the terms in which he has conveyed the Muslim League's decision to you. This information is necessary to enable us to consider how we should proceed in this matter.

Yours sincerely,

JAWAHARLAL NEHRU

¹ No. 441² Lord Wavell minuted: 'It has nothing to do with the Cabinet'

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Note by Field Marshal Viscount Wavell

R/3/1/118: ff 140-2

SECRET

14 October 1946

Note on an Interview with Mr. Jinnah and Liaqat Ali Khan,
13th October 1946

1. The subject about which they had come to see me was the nomination of a non-Muslim Scheduled Caste Member in the Muslim League quota. Jinnah asked which list of names would be received first. I told him that I had written to Nehru asking him what changes he wished to make in his list as a result of the Muslim League coming in,¹ but I had not heard from him. I hoped to receive both sets of names independently. Obviously what was in the mind of the Muslim League was that if the Congress did not nominate a nationalist Muslim, they would refrain from including a non-Muslim Scheduled Caste Member. I told them plainly that I thought that whatever the Congress did, it would be an embarrassment to me and a mistake on their part if they included a non-Muslim. I said that it would be an embarrassment to me, because it was obviously intended as a challenge to Congress, and would mean that the two parties entered the Coalition Government in a mood of antagonism, whereas I wished them to work together as a team in as much harmony as possible. Jinnah said that he recognised this and had been most anxious to meet me in every possible way, but that they had their own interests to consider. I said that they were of course the final judges of their party interests, but to me it would appear that their party interests, as well as those of India as a whole, would best be served in the long run by not making this challenge to Congress in the form of a non-Muslim nomination but by coming in with the intention of working in harmony as much as possible.

2. I said that I did not know what the Congress names would be, but that I should judge from the present mood of Congress that they would almost certainly include a nationalist Muslim in their quota; although I thought it was possible that if all went well inside the Cabinet and the parties worked together in some amity, they might make some excuse for withdrawing their nationalist Muslim later on. But I said that this was of course entirely my own opinion and that Mr. Jinnah must not take it to be anything else. I again said that I thought it would be unwise to raise the issue of a non-Muslim nomination

3. Mr. Jinnah then asked what the situation would be if they nominated someone as Member and then wished later to withdraw him (he obviously had in mind that if Congress withdrew their nationalist Muslim he would

withdraw his non-Muslim Scheduled Caste). I said that I presumed that the Muslim League would persuade the Member to resign. Jinnah then asked me what would happen if, supposing an extreme case, the Member in question refused to resign. I said that the only person who could constitutionally compel his resignation or dismiss him would be His Majesty on my advice; but that I should find considerable difficulty in making such a recommendation to His Majesty if the Member in question did not himself wish to resign and was carrying out his duties satisfactorily. Jinnah pressed me on this, trying to make out that I ought to compel his resignation if the party which nominated him wished me to do so. I entirely refused to accept this, and said that constitutionally there was no such thing as nomination by a party, it was entirely the responsibility of the Viceroy to select Members and recommend them to the King.

4. I then spoke to Mr. Jinnah on the long term issue, and said that I hoped he understood that the presence of the Muslim League in the Interim Government would be conditional on their reconsideration of the Bombay Resolution² and acceptance of the Statement of May the 16th. Jinnah said that he realised this, but that it would be necessary to secure certain guarantees from the Congress, and that the Council of the League must be called together to withdraw their Bombay Resolution. I said that this should be done as soon as possible.

5. I then asked Mr. Jinnah if he saw any objection to the Sikhs holding elections for their seats in the Constituent Assembly although the date was passed. No provision had been made for by-elections, it was intended that the Constituent Assembly itself should lay down the procedure; but I was advised that if I sanctioned the Sikh elections, they would be valid. I did not wish, however, that they should subsequently be challenged and objected to by one of the main parties. Jinnah said that he was very anxious to establish friendly relations with the Sikhs, and that he personally did not think there would be any objection but that he would like to consider the matter. I asked him to let me know if he had any objection as soon as possible.

6. I asked Mr. Jinnah when I could have his names, and he promised them by the next day. I said I was anxious to get them as soon as possible and to Swear In the new Cabinet at the earliest possible date.

7. At the end I went back to the nomination of a non-Muslim, and again stressed that I did not think it would be in his interests to make this nomination, and that I hoped he would not do so. I gathered that the selection they had in mind was a Scheduled Caste representative who is at present a Minister in the Bengal Government, but I was not given his name.

Both Jinnah and Liaquat Ali Khan were very friendly throughout.

W.

¹ No. 441.

² No. 86.

446

*Mr Anderson to Mr Turnbull**L/PEJ/10/122: f 205**14 October 1946*

My dear Frank,

I am sorry I was unable to get down to this¹ before the week-end, and even now have not been able to give the matter all the thought that it deserves. The following are some rather disjointed reflections which have occurred to me.

I am greatly impressed by the hindrance to clear thinking which is liable to result from the loose employment of such expressions as in or out of the Commonwealth. People are so apt unconsciously to assume that the substance of the matter is implicit in the terminology. Being "in the Commonwealth" is not, however, a matter of labels. It is a question substantially of how you behave. I believe that the kind of note you have in view will go far to bring this issue down to brass tacks, and I am delighted to see this initiative being taken.

With this in mind I feel that it will conduce to realism if you avoid discussing (or at least discussing at any length) the reasons why it would be nice if India were prepared to come in and behave exactly like the four Dominions. She will not and cannot. I would rather group the issues under two main heads:

(1) What in fact is the most that we can hope for as regards India's co-operation with ourselves and the Dominions in relation to (a) foreign affairs, (b) defence, (c) economic and financial matters; and would India's attitude under these heads be materially affected by whether she was or was not titularly within the Empire?

(2) Would such limited co-operation as is indicated under (1) justify us in accepting her membership, having regard particularly to—

- (a) The formal readjustments in Empire relationships (including the Monarchy) which might be involved.
- (b) The embarrassment of not being able to treat her with the same frankness and openness as other Dominions.
- (c) The effect on our relations with the other Dominions of the special deference which we would undoubtedly have to pay to India's views and aspirations.

As regards (1), I see no reason to suppose that India (which is essentially different from the Dominions in history, geographical position, culture, population, economic development etc.) will accept, or be naturally fitted to carry out, any of the broad unwritten obligations of membership. She will co-operate, if at all, on the same basis as any foreign country and subject to the same kind of limitations—that is, we could not expect more from her than

was set out in treaties, or than for the moment appeared to fit in with her particular view of her interests. There would be no question of her rallying generally to the Commonwealth in international affairs or automatically placing her defence forces at our disposal, nor will she play with us on tariffs and currency when she cannot see a clear *quid pro quo*. In all of these respects I anticipate more or less arm's length treatment from her, and I can think of no important respect in which titular membership of the Empire would make any difference to this.

As regards (2), I can best summarise my conclusions by saying that I believe the attempt to retain India would lead to nothing but friction and misunderstanding between her and us—a straightforward and well-understood relationship is essential in dealing with people so different from ourselves—and worse still would create friction between ourselves and the other Dominions, thus weakening to a probably serious degree the cohesion of the Anglo-Saxon club as we know it. Our current difficulties over the India-South Africa dispute, the elections to the Security Council, and the trusteeship problem are merely the first symptoms of the latter. Or again, how do the Chiefs of Staff reconcile their wishful thinking about India's place in the Empire defence system with the fact that they are already taking tacit steps to reduce India's access to information etc.² How again can we deal frankly or consistently with a country in whose case all references to Russia have to be Bowdlerised?

What India is after, I take it, is a new Asiatic power bloc in which she will take a leading part. (It does not matter much what we think about the prospects of this coming into being so long as the Indians believe in it.) This would certainly be anti-British and anti-American. It must either reach a *modus vivendi* with, or be swallowed up by, Russia. On this view it may pay India from time to time to play an opportunist game, sometimes with one power and sometimes with another, but there is no room for consistent membership of the British Commonwealth as we know it.

Yours ever,

K. A.

¹ See No 409

² cf No 228, note 2, for Foreign Office guidance on this point.

447

Sir W. Croft to Heads of India Office Departments

L/P&J/10/89: ff 149-54

14 October 1946

I am anxious to get down to the detailed consideration of Treaty matters. Before the Cabinet Mission went to India Departments prepared lists of points within their jurisdiction which were for consideration for inclusion in the

Treaty with India. At that time the general conception of the Treaty was somewhat indeterminate and it was expected that the Treaty would be discussed by the Cabinet Mission with Indian representatives.

The Cabinet Mission had no formal consultation with Indian leaders on the content of the Treaty. They included in paragraph 22 of the Statement of 16th May the following passage:-

"It will be necessary to negotiate a Treaty between the Union Constituent Assembly and the United Kingdom to provide for certain matters arising out of the transfer of power".

Their Statement of the 25th May included the following passage:-

"When the Constituent Assembly has completed its labours His Majesty's Government will recommend to Parliament such action as may be necessary for the cession of sovereignty to the Indian people, subject only to two matters which are mentioned in the Statement and which we believe are not controversial, namely: adequate provision for the protection of minorities and willingness to conclude a Treaty with His Majesty's Government to cover matters arising out of the transfer of power".

There is unfortunately some inconsistency between these two Statements as the first speaks of negotiating a Treaty with the Union Constituent Assembly and the second of concluding a Treaty after the necessary Parliamentary action for the cession of sovereignty. Since they were written we have had legal advice from the Law Officers on the machinery for the cession of sovereignty to an independent India.¹ Their view is that a Provisional Government should be set up by the Constituent Assembly at the conclusion of its labours which will be responsible for enacting the new Indian constitution and will be the recipient of sovereignty from His Majesty's Government to enable it to do so. The Treaty could no doubt be concluded with this Provisional Government. It will, however, have to be negotiated with the Constituent Assembly and it may be that negotiations for this purpose could begin next Spring.

The general position in regard to the Treaty has been modified substantially since Departments last reviewed the matter.² In the first place, India is now to be entitled to choose whether to remain in the Commonwealth or become a foreign power. For the purpose of preparatory work it had better be assumed that India will become independent. In the second place, although ministerial decisions have not been finally taken it is understood that the intention is that there should be two or possibly more Treaties. The first of these will be that referred to in the two statements quoted above and will be confined to matters arising out of the transfer of power. The second Treaty will be negotiated separately and will not be in any sense the price of independence. It is conceived as a Treaty of Friendship and Alliance and would be so far as possible a substitute for the Commonwealth relationship. This Treaty would cover in

particular the relationship of Britain and India in foreign affairs and mutual aid in defence matters. The present reference to you is not concerned with the latter Treaty which is being dealt with separately.

Treaty No. 1 will, so far as I can at present see, cover the following main heads:-

- (i) The acceptance by the Government of India of the financial obligations of its predecessor. This would be a sort of blanket provision covering rupee debt and any other general obligations of that sort.
- (ii) More specific provision in respect of sterling debt, contracts and property.
- (iii) Acceptance by the Government of India of obligations arising under existing Treaty obligations of H.M.G. contracted on the assumption that they were the controlling power in India and dischargeable only by virtue of that position.
- (iv) Provisions in respect of continuing obligations to the Services, including Military Services and financial obligations to present and retired members of them.
- (v) Various miscellaneous but minor items.

Attached to this note are lists showing more in detail the items which each Department has proposed for inclusion in the Treaty which appear to survive for inclusion in Treaty No. 1. These do not purport to be complete and are only a basis for further consideration. I should be grateful if you could now review these matters and let Mr. Turnbull have, if possible within a fortnight, a full note on the matters within your sphere which have to be included, or which you consider should be considered for inclusion.

It will be necessary to make a submission to Ministers on matters for inclusion in the Treaty and to secure their authority for any points of principle which may arise for decision. Thereafter it will be necessary to work out a detailed brief for the British negotiators which will not only list the matters for inclusion but set out the arguments in support of them.

W. D. CROFT

¹ See Vol. VII, No. 450.

² See Vol. VI, Nos 125 and 465.

Appendix to No. 447

LIST OF MATTERS FOR INCLUSION IN TREATY NO. 1 BASED ON PREVIOUS DEPARTMENTAL NOTES

To these have been added certain items under the sub-head "Possible
Additional Items"

It would be convenient if Departments could suggest the form, or at any rate the substance, of the Clauses required to deal with these matters. Some items,

e.g. disposal of existing properties, may be too detailed for inclusion in the Treaty itself but there could be a subsidiary agreement covered by a general clause in the Treaty. This may be the best procedure for some other matters also.

I. Finance Department (Finance & Currency)

General clause accepting the financial obligations of the predecessor Government.

Special acceptance of liability for existing sterling debt and agreement to exempt this from Indian tax.

Clause accepting liability for existing contracts.

Clause dealing with transfer of property.

Possible additional items

Clause regarding provision of monies to S/S for expenditure in an overlapping period in respect of winding up. I had in mind such things as the cost of passages and leave pay for members of the Services who do not remain in service.

II. External Department

Acceptance by India of existing Treaty obligations to foreign States under Treaties concluded by H.M.G., particularly Afghanistan, Nepal, Bhutan and ? Muscat, including the question of financial subsidies to these States.

Possible additional items

Continuance of British diplomatic and consular representation of India, where there is no Indian representation, for a limited period.

Something about standing assets at present jointly used, e.g. residencies in the Persian Gulf, Nepal, Kabul.

Possibly something about India's relations with French and Portuguese India.

Exemption from Customs duty etc. of goods and effects required by British representatives in India. (This may more suitably go in the Treaty of Friendship).

III. Services & General Department

A Clause accepting existing obligations to the Services generally. It is for consideration how wide this should be but I presume that we ought to ask India to accept formally the obligation to pay to all Government employees, British and Indian, at any rate the entitlements due to them in respect of their service up to the date of the new constitution. This would cover for example soldiers of the Indian Army.

Any special provision which may be thought necessary in respect of Secretary of State's Services, Provincial Services who have a contract with the Secretary of State, and such matters as pensions, provident funds and compensation.

(These seem to be the most difficult and important provisions. If the Treaty is to make special provision of a more precise kind in respect of persons recruited by the Secretary of State we shall need to put up the matter to Ministers for decision as to where the line is to be drawn. These matters are, I take it, linked up with the sterling balance discussions to some extent. I believe there is some possibility of these beginning before long).

Possible additional items

Disposal of the India Office, particularly the Library and the Art treasures.

IV. *Political Department*

Political pensions.

Any general provision which may be decided upon as regards minorities.

Possible additional items

Ecclesiastical contributions.

Nationality (definition of those persons among British subjects who will become nationals of the new India).

Existing rights of U.K. subjects or Europeans in India, for example before the Courts.

V. *C. & O. Department*

Patents, designs and inventions during the war. (I venture to suggest that it might be considered whether some blanket provision cannot be made to cover this in the settlement of sterling balances. I suspect from a case I dealt with when I was Private Secretary that it is not only the case of patents and designs actually developed and used by the Government of India, but also of a share in the obligation of H.M.G. in respect of patents and designs used by them for war purposes, part of the benefit of which has been shared by the Government of India.)

VI. *Military Department*

The same as the S. & G. Department but for military personnel.

There are, I think, some particularly difficult questions about the old Military Family Pension Funds some of which I gather were on a commercial basis.

Possible additional items.

Orderly Officer's house in St. George's Square.

VII. *Finance Department (Treasury Control)*

Provident funds and pensions in conjunction with S. & G. and Military.

VIII. *A. G. Department*

Nil—except in so far as you are concerned with matters listed under S. & G., Military and Finance.

I see, however, that in a note on existing financial obligations of India you gave a list of payments made to various societies and institutions on India's behalf. Some or all of these may be terminated by an independent Indian Government and it would probably be as well not to encourage this to happen before it is necessary. Possibly the Societies ought to be informed that the continuance of these contributions will be at the pleasure of the present Interim Government and that they cannot necessarily rely upon them as a permanent source of revenue.

448

Note by Field Marshal Viscount Wavell

R/3/1/118: ff 150-2

SECRET

14 October 1946

Note of a discussion with Pandit Nehru, 14th October 1946

1. I told Pandit Nehru that, as I had written to him,¹ the Muslim League had decided to join the Interim Government. I said that it was not for the Cabinet to discuss the names, although Nehru was of course at liberty to consult any of his colleagues he wished. I could not undertake to submit Jinnah's names to Nehru as soon as I got them. I should have to submit them to the King for his approval.

2. Nehru said that knowledge of the Muslim League names was important with him, did Mr. Jinnah intend to come in himself, for instance? I said that I had no knowledge at present of the League's names, I did know that the League had in mind the inclusion of a non-Muslim, but I did not know what their final decision would be. He did not comment on this.

3. He then asked on what basis Mr. Jinnah was coming in, and said that his discussions with Mr. Jinnah had led to nothing and that Mr. Jinnah's letters had always evaded the point; his last one² had been "frankly amazing". We had some discussion on the points which Jinnah had put to me³ and my replies,⁴ of which I had sent a copy to Nehru. There was some discussion on the matter of the Minority representatives; Nehru's point was that Jinnah should not have

any veto on the appointment of a representative. I said that I quite agreed that this would be so, and that I did not think the matter would really cause any great difficulty.

4. I then showed Nehru Jinnah's letter of acceptance,⁵ which he read with some apparent amusement. I said that it was a typical letter of acceptance from one of the Indian political parties, in that it objected to everything possible which was being accepted before accepting it.

5. He then asked about the long term issue, was it to be assumed that Mr. Jinnah had accepted this. I told him that I had explained to Jinnah that his entry into the Interim Government must be considered as conditional on his acceptance of the long term plan. I said that Mr. Jinnah had replied that he was prepared to call a meeting of his Council to reverse their Bombay decision⁶ as soon as he was satisfied that the Statement of May 16th would be observed.

6. I then asked Nehru when he could give me his names. He said that it was not quite decided yet who would go out, possibly all three present Muslim members would retire and an outside Muslim come in; and they had to decide which of the present Hindu members would make room for him. He said that Sarat Chandra Bose returned tomorrow and that they wanted to wait till they could consult him. He was quite definite that Congress would include a nationalist Muslim.

7. I then said that we must get this matter settled before Nehru went to the Frontier, and I presumed that he would postpone his visit. He was obviously reluctant to do this and said that if we got things fixed up tomorrow and were able to make an announcement, it would not matter if there were subsequently an interval of a few days before the new Cabinet took over. I tried to persuade him to postpone the visit and said that I very much deprecated what would be regarded as a purely party approach, also it would be most embarrassing if his visit to the Frontier resulted in disturbances. He was very unwilling to give up the visit, but promised that he would not make it a party business, and would in anything he said emphasise his welcome of a Coalition.

8. I then referred to the matter of portfolios, and said that I had had some discussion with Mr. Jinnah about these, and that the following considerations might help him. Of the four main portfolios—those always held before by British representatives: Defence, External Affairs, Home, and Finance—it was generally agreed that Matthai should remain in charge of Finance. I considered that the Muslim League must have one of the three remaining portfolios. I should prefer that Baldev Singh remained as Defence Member, and I presumed that Nehru would not wish to give up External Affairs. He agreed with both

¹ No. 441.

² No. 433.

³ No. 400.

⁴ No. 404.

⁵ No. 440.

⁶ No. 86.

these propositions, but said that it would be very difficult to shift Patel. I said that I must leave this to him, but that I did regard it as essential that the Muslim League should have one of these portfolios. I said that it was also essential that the Muslim League should have either Commerce or Industries & Supplies.

9. We discussed other outside matters on which there was no difficulty. Nehru was quite friendly throughout.

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Field Marshal Viscount Wavell to Lord Pettick-Lawrence

Telegram, R/3/1/118: f 156

IMMEDIATE
CONFIDENTIAL

NEW DELHI, 14 October 1946, 6.40 pm

Received: 14 October, 7.21 pm

No. 2160-S. I saw Jinnah again with Liaquat Ali Khan last night,¹ and saw Nehru today.² The Muslim League are considering the inclusion of a non-Muslim (probably the Scheduled Caste Minister in Bengal) as one of their representatives; this is obviously a counter to the Congress inclusion of a Nationalist Muslim. I pointed out to Jinnah how unwise and embarrassing this might be and gather that no final decision has yet been made.

2. I explained to Nehru what had passed with Jinnah, and asked for the names of Congress representatives. He did not comment on the possible inclusion of a non-Muslim in the League quota, but stated that he would require at least a day to consult with his colleagues about the Congress representatives. I told him that I had explained to Jinnah that entry into the Interim Government must be conditional to acceptance of the Long-term Plan. Nehru thought it possible that final agreement might be reached tomorrow.

¹ No. 445

² No. 448

450

Pandit Nehru to Field Marshal Viscount Wavell

R/3/1/118: ff 153-4

17 YORK ROAD, NEW DELHI, 14 October 1946

Dear Lord Wavell,

You were good enough to show me today Mr. Jinnah's letter of 13th October¹ in which he expressed the Muslim League's readiness to nominate five persons

for the Interim Government. I have not got the copy of this letter with me, but as far as my memory goes most of it was concerned with expressing his disapproval of the Interim Government. This was a somewhat curious prelude to the decision to join it. However what I am concerned with is the latter part of the letter in which he states (I am relying on my memory) that the Muslim League would join the Interim Government in terms of your broadcast² and your letters to Mr. Jinnah dated 4th October³ and 12th October.⁴

It is important for us to understand exactly how he proposes to join and what these terms are to which he refers. Various statements in newspapers, and more especially in the official Muslim League organ, are disconcerting in the extreme. Our past experience does not encourage us to rely on vague and ambiguous phrases. These usually lead to misunderstandings and subsequent argument which is not edifying. It is desirable, therefore, to be precise in such matters and to know exactly where we stand.

We know the terms of your broadcast in August last and I have seen your letter to Mr. Jinnah dated 4th October. I have not seen your letter to him dated 12th October. I trust that this does not contain anything beyond what was contained in the broadcast or the letter of the 4th October. If so we should be informed of it so that we might know what the exact position is.

As I understand it, the offer you made in your broadcast was that five places in the Interim Government could be taken by the Muslim League. In your letter of the 4th October you made it clear that a Coalition Government must necessarily work as a team and not as a joining together of rival groups which did not cooperate for a common purpose. Further you stated that the basis for participation in the Cabinet must, of course, be presumed to be the acceptance of the Cabinet Mission's Statement of 16th May.

It seems to us much better that any possible misunderstanding should be removed at this stage so that it may not come in our way later on. We have to face a difficult situation. So far as we are concerned we shall make every effort to work cooperatively and as a team. During the last six weeks we have done so with considerable success and to the advantage of our work. Almost every decision of ours, to whatever Department it might have belonged, has been taken after joint consultation and agreement. This has made us to some extent jointly responsible for the working of various Departments and the burden of any particular portfolio has been shared by others. We propose to continue to work in this manner. How far the Muslim League members share this outlook with us I do not know. Any other approach would lead to friction and delay in the disposal of our work. In any event we think it is necessary for us to know as fully as possible the terms to which Mr. Jinnah refers in his letter of October 13th. If there is any variation or addition to them as contained in your broadcast and your letter of the 4th October, we should be informed of it.

¹ No 440.

² No. 199.

³ No. 404.

⁴ No. 437.

I had hoped to receive from you today the list of names suggested by Mr. Jinnah on behalf of the Muslim League for membership of the Interim Government. This information would help us considerably in many ways in shaping our own policy. Even the division of portfolios should depend on the kind of persons who are available. I hope that you will be good enough to inform me of Mr. Jinnah's proposed list so that we can then come to our own decisions.

We have no desire to delay matters in any way, and I should like all preliminaries to be settled, if possible, by the 15th evening before I leave for the Frontier. But for the moment we are rather held up by lack of information. If the preliminaries are settled soon, the remaining steps can be taken a few days later after my return from the Frontier and your return from Bombay. One of my colleagues, Mr. Sarat Chandra Bose, has, I understand, just returned to Delhi although I have not seen him. Another colleague, Mr. Bhabha, is away from Delhi and I am not sure when he is due back. It would be unbecoming for us to make big changes in the constitution of the Government without the knowledge of our colleagues and in their absence. It is a painful matter for me to have to part with some of my colleagues who worked efficiently and with a complete sense of cooperation in common effort. We shall do so, however, because of what we consider the larger good. These colleagues themselves have been very good to me and have appreciated the position. I am deeply grateful to them for this. But the least I can do is to treat them with courtesy and not to do anything suddenly which might distress them and show a lack of consideration for them.

Yours sincerely,

JAWAHARLAL NEHRU

451

Pandit Nehru to Field Marshal Viscount Wavell

Wavell Papers. Official Correspondence: India, January 1946-March 1947,

p. 173

14 October 1946

I have been receiving daily telegrams from East Bengal and sometimes from Calcutta giving distressing accounts of the conditions there. There have been details of stabbings and murder and looting round about Dacca and elsewhere. People have also come to me who have given exceedingly painful reports of these happenings. It is possible that in their excitement they have exaggerated. But what struck me most was that some of these persons talk to me as the victims of Hitler used to talk in the early thirties. I have not thought it worth

while to trouble you with these reports as my previous references to Bengal have not borne fruit.

I am now writing to you because I have just received a trunk call from Calcutta from Haran Chandra Ghosh, M.L.A. He states that these stabbings and murder and looting have spread to Noakhali District in Bengal, and he mentions a number of towns and villages which are seriously affected. He further stated that families of middle-class people have been murdered including the President of the local Bar Association.

I do not know what I can do in this matter. But I hope you will realise how exceedingly distressing this is for all of us.¹

¹ Lord Wavell replied on 15 October as follows "Thank you for your letter of yesterday about conditions in East Bengal. I appreciate your anxiety which I share myself, and I have drawn the Governor's attention to the reports and asked him to let me know what the situation is." Wavell Papers, Official Correspondence. India, January 1946-March 1947, p. 174.

452

Mr Bose to Field Marshal Viscount Wavell

*Wavell Papers. Official Correspondence. India, January 1946-March 1947,
pp. 173-4*

14 October 1946

I enclose herewith two telegrams from Noakhali (East Bengal) received by me this evening—one from Kshitish Roy, Chairman, Municipality, Kirti Ghosh, Vice-Chairman, and Dr. Sudhir Roy, Secretary, Hindu Sabha, and the other from Profulla Bhomik, Manager, Bhulna. The telegrams speak for themselves. It appears that the Government of Bengal have entirely failed to give protection to innocent citizens of Noakhali and that whole families have been murdered. May I request you to take immediate action?

Thanking you.¹

Enclosure 1 to No. 452

Telegram from Mr. Kshitish Roy, Chairman, Municipality, Kirti Ghosh, Vice-Chairman, Dr. Sudhir Roy, Secretary, Hindu Sabha, to Sarat Bose, Member, Interim Government, New Delhi

Organised hooliganism, loot, arson, murder, forcible conversion going on large scale in Ramganj Thana, portion of Bagumaganj, Lakhupur. Rai Sahib

¹ Replying on 15 October on Lord Wavell's behalf Mr. Abell said that Sir F. Burrows's attention had been drawn to the state of affairs in East Bengal and that Press reports indicated troops had been called in. Wavell Papers, Official Correspondence: India, January 1946-March 1947, p. 174.

Rajendralal Roy with entire family, Zaminder Surendra Bose and many other notable persons murdered. Communication to Thanas, Headquarters made impossible. No police help available. Unless immediate military help rendered, entire Hindus population will be extinct.

Enclosure 2 to No. 452

Telegram from Mr. Profulla Bhomik, Manager, Bhulna, to Mr. Sarat Bose, Member, Interim Government, New Delhi

Whole of Noakhali District devastated. Respectable Hindus including President, District Board [? District Bar Association], killed. Several thousand Hindus' houses burnt, looted; ladies, girls taken away forcibly. Forcibly conversion. Police helpless. Military urgently needed. Pray save livings and destitutes.

453

Mr Jinnah to Field Marshal Viscount Wavell

R/3/1/118: f 161

10 AURANGZEB ROAD, NEW DELHI, 14 October 1946

Dear Lord Wavell,

I thank you for your letter of October 13.¹

I am now sending you names of 5 nominees on behalf of the Muslim League as arranged in our interview of yesterday.²

1. Mr Liaquat Ali Khan,
Hon. Secretary, All India Muslim League, M.L.A. (Central).
2. Mr I. I. Chundrigar, M.L.A. (Bombay)
Leader, Muslim League Party in the Bombay Legislative Assembly and President of the Bombay Provincial Muslim League.
3. Mr Abdur Rab Nishtar, Advocate (N.W.F.P.), Member Working Committee All India Muslim League, Committee of Action and Council.
4. Mr Ghazanfar Ali Khan, M.L.A. (Punjab), Member, Council All India Muslim League, Council Provincial Muslim League and Member of the Punjab Provincial Muslim League Working Committee.
5. Mr Jugendra Nath Mandal, Advocate (Bengal), at present Minister of the Bengal Government.

Yours sincerely,

M. A. JINNAH

¹ No. 442.

² No. 445.

454

*Lord Pethick-Lawrence to Field Marshal Viscount Wavell**Telegram, L/P&J/10/75: f 123*MOST IMMEDIATE
TOP SECRETINDIA OFFICE, 14 October 1946, 8 pm
Received: 15 October, 3 am

No. 18400. Your telegram 2155-S¹ has caused me some anxiety as if Jinnah now nominates a Scheduled Caste representative we may find ourselves in a position in which Congress refuses to remain in Interim Government on the ground that member of Depressed Classes cannot be considered to be such a representative of Muslim League, as was contemplated in your reply² to Jinnah's letter of 3rd October,³ sent after consultation with Nehru, vide your telegram 2109-S.⁴ In this eventuality how do you propose to handle the situation?

2 My telegram 18325⁵ assumed that Jinnah's nominations would consist of five members of Muslim League. If this is not to be the case Nehru would clearly have to be informed before Jinnah's nominees were appointed by the King, as before names are submitted to Palace we must be satisfied that team will serve as a whole.⁶

¹ No 439² No 404³ No 400⁴ No 406⁵ No 436.

⁶ Lord Wavell replied in tel 2170-S of 15 October by stating that Congress raised no objection to the inclusion of a Scheduled Caste representative in the League quota R/3/1/118 f 168

455

*Lord Pethick-Lawrence to Dr Dalton**L/F/7/2866: ff 168, 173*

INDIA OFFICE, 14 October 1946

Dear Hugh,

Your Department will no doubt have told you of the telegram which we received from the Government of India Finance Department on the 1st October, regarding what you said in Washington about the Indian sterling balance.¹ We hoped to avoid an awkward discussion by sending them, on 5th October,²

¹ Tel. 8507. The telegram drew attention to a Reuter report of Dr Dalton's remarks which quoted him as saying: 'It seemed to us it would be right that we should wait for the establishment of a Government of Indians by the Indians before taking up the subject. So far as the British Government is concerned, the sooner we have such a Government the more we shall be pleased. As soon as this is done—but not until—we shall start on these important negotiations.' The G. of I. asked for an exact report of Dr Dalton's remarks. L/F/7/2866: f 199.

² Tel. 17958. *Ibid.*: f 190.

a quick reply (agreed with the Treasury) saying in effect that of course we intended to discuss the balances with the Interim Government. This was before we saw the text of your statement as set out in Washington telegram No. 498 Remac,³ which, however, does not materially improve matters.

I have now received the enclosed very embarrassing telegram⁴ from the External Affairs Department of the Government of India—the significance of which is that it is Nehru's own Department—demanding “public clarification by His Majesty's Government” of your statement in its general, as well as its particular, bearings. As you know, “clarification” of our relations with the Interim Government beyond the general formulæ used in correspondence at the time of the Cabinet Mission, is precisely what we want to avoid at this juncture. I would, therefore, ask for your help in sending an answer best calculated to get round this issue. The record of your remarks (which I feel obliged to pass on in face of this reiterated demand for the text) will not, I fear, remove the impression created in Nehru by the Reuter summary, that you either ignored or discounted the establishment of his Government and I cannot at present see how to avoid a somewhat apologetic tone in our reply.

I should be glad if you could let me know as soon as possible whether something on the lines of the enclosed draft would commend itself to you, or whether you have any alternative suggestions to make.

PETHICK-LAWRENCE

Enclosure to No. 455

Draft telegram from Secretary of State to Government of India, External Affairs Department

Your telegram of 10th October, 8745. My immediately succeeding telegram contains shorthand record of relevant portion of Chancellor's remarks as now received from Washington.

Chancellor was speaking extempore on an informal occasion. I am assured that there was no intention in his mind of suggesting that H.M.G. would be unwilling to settle sterling balances problem with Interim Government or of making any general reflection upon the status of that Government. As regards the latter H.M.G. stand firmly by the undertaking given at the time of the Cabinet Mission, notably in the Viceroy's letter to Maulana Azad of 30th May.⁵ As regards the former you may rest assured that H.M.G. will shortly enter into discussions with the Government of India regarding the timing etc. of the sterling balances negotiations, with a view to the commencement of the negotiations themselves as soon as may be mutually convenient.⁶

³ L/F/7/2866 f 186.

⁴ Tel. 8754 (not printed). *Ibid.*: f 177.

⁵ Vol. VII, No. 409.

⁶ On 16 October Dr Dalton returned a slightly modified version of this draft. L/F/7/2866: ff 166-7. The reply as sent to the G. of I., External Affairs Dept. (tel. 18663 of 18 October), was similar to the above draft except that the first two sentences of para. 2 were omitted. *Ibid.*: f 165.

456

*Field Marshal Viscount Wavell to Pandit Nehru**R/3/1/118: f 163*

15 October 1946

Dear Pandit Nehru,

Thank you for your letter of yesterday.¹ I enclose a copy of my letter to Mr. Jinnah dated 12th October.² There have been no assurances or explanations to Mr. Jinnah that go beyond the terms of the broadcast³ and the letters of the 4th⁴ and 12th October.

Yours sincerely,

WAVELL

¹ No. 450.² No. 437.³ No. 199.⁴ No. 404.

457

Field Marshal Viscount Wavell to Sir F. Burrows (Bengal)

*Telegram, Wavell Papers. Official Correspondence: India,
January 1946–March 1947, p. 174*

IMMEDIATE

CONFIDENTIAL

15 October 1946

No. 2153–S. I have had enquiries from Jawaharlal Nehru and Sarat Chandra Bose¹ about events in Noakhali, and though I know you and your Government will do all you can I should like to have something to tell them as a matter of courtesy. Please let me know how things are going.²

¹ See Nos 451 and 452.² Sir F. Burrows sent Lord Wavell a report in tel 265 of 15 October (L/P&J/8/578. f 160). See No 472 for a further report.

458

*Field Marshal Viscount Wavell to Lord Pethick-Lawrence**Telegram, R/3/1/118: f 165*

MOST IMMEDIATE

NEW DELHI, 15 October 1946, 10.10 am

CONFIDENTIAL

Received: 15 October, 6.25 am

No. 2162–S. Muslim League have now given me the following names:—

(1) Mr. Liaquat Ali Khan,

(2) Mr. I. I. Chundrigar (Bombay),

- (3) Mr. Abdur Rab Nishtar (N.-W.F.P.),
- (4) Mr. Ghazanfar Ali Khan (Punjab),
- (5) Mr. Jugandra Nath Mandal, Scheduled Caste Minister, Bengal Government.

2. I want to get the coalition settled today and should be grateful for immediate approval of these names. Nehru wants to leave for Frontier tour this evening.

3. I told Nehru yesterday that the League might nominate a non-Muslim, though I had strongly urged them not to do so, and he made no comment.

4. Grateful if you can let me have an answer by noon, Indian Standard Time, today.

459

Sir O. Caroe (North-West Frontier Province) to Field Marshal Viscount Wavell

Telegram, R/3/1/92: f 32

IMMEDIATE
CONFIDENTIAL

15 October 1946, 1.40 pm
Received: 15 October, 3.40 pm

No. CA 88. I am still without information as to bearing of fresh Delhi negotiations on Nehru's tour to Frontier. But whatever outcome may be I think it most important that Jinnah should in generous fashion make it clear to his followers that Nehru will be a guest of the people of the Frontier and that no counter demonstrations should be staged on his arrival or during his tour. Congress should do the same if tour is to be in double harness.¹

¹ Lord Wavell replied in a letter of 16 October in which he informed Sir O. Caroe of the gist of his letter of 15 October to Mr Jinnah (No. 461) and of Mr Jinnah's reply (No. 468). R/3/1/92. f 36

460

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/PEJ/10/75: ff 119-20

MOST IMMEDIATE
SECRET

INDIA OFFICE, 15 October 1946, 10 am
Received: 15 October, 4.50 pm

No. 18411. My en clair telegram¹ No. 18410 and your 2162-S of 15th October.²

I am sorry that I really feel it to be impossible to obtain Royal approval until after names have been disclosed to Nehru. Congress may object strongly to a

Scheduled Caste's being included, with result that they withdraw from Govt. It would be most undesirable to bring the King into matter at this stage. It is contrary to all practice for the King to make appointments until it is clear what the general character of the Govt. will be and what vacancies are available.

In this case, three resignations of existing members have also first to be obtained.

A wholly Muslim League Govt. without Congress would surely be even more dangerous than present set up, particularly as Jinnah has still not accepted long-term plan.³

¹ Saying he did not consider it possible to obtain the King's approval and referring to the present telegram. L/P&J/10/75. f 118.

² No 458.

³ In tel. 2172-S of 15 October, 5.45 pm, Lord Wavell informed Lord Pethick-Lawrence that he had already disclosed the League nominations to Pandit Nehru and the three resignations would be obtained before the announcement was made. In tel 18422 of 15 October, 12 noon, Lord Pethick-Lawrence stated that the King was *en route* to London and it was hoped to send Lord Wavell a further message in about an hour. R/3/1/118. f 170 and L/P&J/10/75 f 113.

461

Field Marshal Viscount Wavell to Mr Jinnah

R/3/1/92: f 33

No 243/5

15 October 1946

Dear Mr. Jinnah,

As you know, Pandit Nehru is leaving on a short tour of the Frontier to-morrow. Though you and the Muslim League may have looked on the tour with disfavour, the formation of a coalition Government, which I hope to announce to-night, makes a great difference. Pandit Nehru will no doubt report on his return to a Cabinet of which the League representatives form an integral part, and he has told me that during the tour he will make a point of welcoming the formation of a Coalition. I hope therefore that you will recognise how undesirable it is that there should now be hostile demonstrations against a member of the Government, and that you will ask your Muslim League leaders in the N.W.F.P. to use their restraining influence.

Yours sincerely,
WAVELL

462

Pandit Nehru to Field Marshal Viscount Wavell

*Wavell Papers. Official Correspondence: India, January 1946–March 1947,
pp. 175–6*

15 October 1946

Thank you for your letter of today's date about East Bengal.¹

I am going to the Frontier tomorrow morning, but my mind is full of what is happening in East Bengal. Both the reconstitution of the Interim Government, important as it is, and my Frontier visit, which I have looked forward to for so long, have suddenly become of secondary importance. Indeed I have come seriously to think whether it serves any useful purpose for me to be in the Interim Government if an important part of India sinks to barbarism or something much worse. The accounts we have received and are receiving from hour to hour are incredible and yet there can be little doubt that they are largely true. A vast area of Bengal has ceased to have any Government functioning, any security, and has just become the happy hunting ground of the worst elements in the community. Mass slaughter, arson, burning of human beings, rape, abduction on a large scale, forcible conversions and all manner of other horrible things are happening.

For at least two or three weeks past we have been receiving warnings that this was going to happen in East Bengal. Indeed it began in Dacca some time back. Instead of being stopped in time it was allowed to grow and it is now spreading to other districts. Bengal, which has long led India in many ways, is rapidly becoming a shambles and a ruin. It is a small matter to discuss legal responsibilities when such a horrible catastrophe overtakes a people. It is evident that the Bengal Government is completely incapable of controlling the situation. Indeed many people think that they have no desire to control it. You have told us that this is the domain of Provincial Autonomy and that for the rest it is a special responsibility of the Governor and the Viceroy. It may be so, but I should like to know how that responsibility is discharged either by the Provincial Government or the Governor when these conditions that are worse than war are allowed to prevail over wide areas and for indefinite periods. It would appear that not only Government but also general and special responsibilities have all ceased to function in these parts of Bengal. Only the gangster, the hooligan and other anti-social elements function there.

Surely it serves little purpose to say that all this is due to communal friction and to divide up the blame between various parties or groups. Conditions are difficult in various parts of India, but it has become the special province of Bengal to indulge in this horror and frightfulness. There was the famine three

years ago. There was the Calcutta killing two months ago and there is now this mass slaughter, etc., in Noakhali and surrounding districts which, if reports are correct, is far worse than the Calcutta killing. Law and special and other responsibilities have no meaning when they become completely incapable of controlling such a situation. It is a terrible responsibility for all those in charge. But it is also a terrible responsibility for us and we too have to answer before the people of India. What is the good of our forming the Interim Government of India if all that we can do is to watch helplessly and do nothing else when thousands of people are being butchered and subjected to infinitely worse treatment?

I am greatly perturbed. I feel that we must face this issue somehow or else we retire from the public scene.

¹ See No 451, note 1.

463

Pandit Nehru to Field Marshal Viscount Wavell

R/3/1/118: ff 176-7

17 YORK ROAD, NEW DELHI, 15 October 1946

Dear Lord Wavell,

In continuation of our conversation of this morning I have to inform you that we propose the following changes in the Interim Government. We have to provide for five places for the representatives of the Muslim League. There are at present two vacancies. Thus three present members have to resign in order to give place to newcomers. We have decided, with their consent, that Mr Sarat Chandra Bose, Sir Shafaat Ahmad Khan and Mr Syed Ali Zaheer should retire.

I take it that except for an announcement of the proposed changes, no other steps will be taken till my return from the Frontier. That is to say that the present members will continue to function till I return from the Frontier. They will then hand over charge to the new members presumably after allotment of portfolios.

The question of dividing portfolios will have to be considered together with the new members. I suggest that this also should be done after my return. In this connection I should like to repeat to you what I said this morning that there should be as little disturbance as possible in the present arrangement. Some disturbance is inevitable. But it would be undesirable to reshuffle any portfolios which are in charge of the representatives of the smaller minorities. They have been doing good work and it would be unfair to them to make any change. Also that the present portfolio of Sardar Vallabhbhai Patel should

remain with him. Whatever might have been done at the time of the formation of the Government if the Muslim League had then come in, at the present moment to ask Sardar Patel to leave his portfolio would be an act of extreme discourtesy to him. He has been made a special target of attack by the official organ of the Muslim League and it becomes, therefore, still more unbecoming for us to ask him to leave this portfolio. Indeed I do not think he will care to remain in the Government if he is asked to do so.

For my own part I should like to continue to retain External Affairs and Commonwealth Relations.

I should like to have an opportunity for myself to express my deep gratitude to those of my colleagues who are going to retire from Government. They have justified their selection in every way and it is a matter of considerable concern to me that I should have to part with them in this way. They have played the game in the best of spirits and their loyalty to a larger cause is evident from the way they have willingly agreed to retire at this moment. It is not for me to say in what manner mention might be made of this fact, but it would be in the fitness of things to say something about it.

I hardly think that it will serve any useful purpose for me to see you again this evening. But if you desire to meet me, you will please let me know. I imagine that no further conversations will be necessary till I return from the Frontier. If, however, any point arises for mutual consideration I suggest that you might consult Sardar Vallabhbhai Patel on our behalf.

Yours sincerely,

JAWAHARLAL NEHRU

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&J/10/75: f 112

MOST IMMEDIATE
SECRET

INDIA OFFICE, 15 October 1946, 1.30 pm

Received: 15 October, 8.15 pm

No. 18429. I have His Majesty's informal approval of five names in your 2162-S,¹ that is to say His Majesty is prepared to authorise you to announce that their appointment has been approved by him as soon as you can inform me that requisite resignations from among present members have been placed in your hands *but not before*.

2. It follows that King's informal approval is for your confidential guidance only at this stage and must not be disclosed till Congress have accepted position and stated which members resign.

3. It is presumed but please confirm that there is no question of Muslim League being committed on entry into Government to accept rider mentioned at end of para. 2 of your 2148-S.² If that were not clear H.M.G. would wish you to report further before any announcement is made.

¹ No. 458.

² No. 429.

465

Pandit Nehru to Field Marshal Viscount Wavell

R/3/1/118: f 182

PERSONAL AND CONFIDENTIAL

17 YORK ROAD, NEW DELHI,

15 October 1946

Dear Lord Wavell,

Thank you for your letter of the 15th.¹ I have already sent you a letter² this evening which you must have received. The members who are resigning have promised to send their resignations to me to be forwarded on to you. If I receive them before I leave for the Frontier, I shall send them to you. Otherwise they will be sent on later.

We have not raised any objection to the names proposed on behalf of the Muslim League. We do not wish to do so as we had agreed to give them the freedom to nominate five members of their choice. But I think I owe it to you to tell you privately and personally that I regret deeply the choice which the Muslim League has made. That choice itself indicates a desire to have conflict rather than to work in cooperation. This is especially evident in their choice of a member of the Scheduled Classes. The other names, except one, are not of a standard which we would associate with the Cabinet of the Government of India. Both in regard to intellectual capacity and moral quality, I fear the standard of the Cabinet will be much lowered by their association.

We shall try, as I have informed you, to cooperate and to carry on our work in a spirit of team-work. But it seems obvious that the Muslim League has no such intention and they have not even taken the trouble to send their most suitable men. This means that our work in future will not be easy and that we shall have to face heavy weather.

Yours sincerely,

JAWAHARLAL NEHRU

I enclose the three letters of resignation.³

¹ Lord Wavell had sent Pandit Nehru a draft of the Press Note in No. 467. He added that he would be seeing the resigning Members to thank them for their services and their action in resigning. R/3/1/118 f 171.

² No. 463. ³ See R/3/1/118: ff 183-5.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/118: f 180

MOST IMMEDIATE
SECRET

NEW DELHI, 15 October 1946, 9.30 pm
Received: 15 October, 5.38 pm

No. 2186-S. Your No. 18429 of 15th October.¹

Requisite resignations have been placed in my hands. There is no question of Muslim League being committed to accept rider at end of para. 2 of my 2148-S.² Position is explained in Press note which I am now releasing, full text of which is being cabled to India Office.

¹ No 464. ² No. 429.

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India Office Press Release¹

L/PEJ/10/75: f 106

MUSLIM LEAGUE MEMBERS OF THE INTERIM GOVERNMENT

A Press Communiqué dated Viceroy's House, New Delhi, October 15th, begins:

"The Muslim League have decided to join the interim Government, and His Majesty the King has been pleased to appoint the following to be members of the interim Government:- Mr Liaquat Ali Khan, Mr I. I. Chundrigar, Mr Abdur Rab Nishtar, Mr Ghazanfar Ali Khan, and Mr Jogendra Nath Mandal.

"In order to make it possible to reform the Cabinet the following members have tendered their resignations:- Mr Sarat Chandra Bose, Sir Shafaat Ahmed Khan, and Mr Syed Ali Zaheer.

"Members of the present Cabinet who will continue to serve are the following:- Pandit Jawaharlal Nehru, Sardar Vallabhbhai Patel, Dr Rajendra Prasad, Mr Asaf Ali, Mr C. Rajagopalachari, Dr John Matthai, Sardar Baldev Singh, Mr Jagjivan Ram, and Mr Cooverji Hormusji Bhabha.

"The distribution of Portfolios will be settled early next week, and the new members will then be sworn in. Meanwhile, H.E. the Viceroy has asked the resigning members to continue in charge of their portfolios." *Ends.*

¹ The text of the New Delhi communiqué was sent to the India Office in tel. A 3547 of 15 October 1946.

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*Mr Jinnah to Field Marshal Viscount Wavell**R/3/1/92: f 35*

10 AURANGZEB ROAD, NEW DELHI, 15 October 1946

Dear Lord Wavell,

I received your letter¹ of the 15th of October, 1946 at 6-15 p.m. just as I was leaving for the meeting of the Working Committee, regarding Pandit Jawaharlal Nehru's visit to the N-W.F.P. tomorrow. After consulting my Working Committee I beg to inform you that the people of the Frontier look upon Pandit Nehru's visit with disfavour and it would be advisable if the visit could be postponed to a later date.

I may, however, inform you that no instructions to stage demonstrations have been issued in this connection to our organization in the North-West Frontier Province.

Yours sincerely,

M. A. JINNAH

¹ No 461.

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*Field Marshal Viscount Wavell to Lord Pethick-Lawrence**L/PO/10/23*

PRIVATE AND SECRET

THE VICEROY'S HOUSE, NEW DELHI,

15 October 1946

I have no fresh letter of yours to acknowledge since I wrote to you on the 9th October.¹

2. I have kept you in touch by telegram about the progress of negotiations for a coalition. Bhopal's effort has now definitely failed, and Jinnah has come back to me proposing to accept such assurances as I have given him, and to let me have his five names. Congress have shown no signs of enthusiasm for a coalition, but apparently are prepared to put a good face on it now. Whether I shall have further serious difficulty over portfolios I do not know, but with the two parties in their present mood it seems probable. Jinnah is however determined to come in, unless the indications are most deceptive; and I doubt whether he will allow Congress to manoeuvre him into a position where he has to refuse.

¹ No. 422.

I think a coalition will do an immense amount of good to the general condition of the country, and though relations will be strained inside the Cabinet there will be a chance of a more accommodating spirit after a few weeks of joint administration.

My difficulty during the Congress régime has been that Congress have never for a single moment accepted the position that the status of the Interim Government is settled and that the next great change will be when a new constitution is brought into being. On the contrary they seem to have regarded their relations with me as a field for a continuous campaign for power, and have put on their well-known act of injured innocence whenever I have been compelled to resist their manœuvres for changing the present Constitution without calling a Constituent Assembly. The history of the Bhopal negotiations provides an interesting example of this. According to accounts given to me by Bhopal and Jinnah, Gandhi drafted a formula recognising the League as representing "the overwhelming majority of the Muslims" though the Congress still claimed to represent some of the Muslims. This was accepted by Jinnah but rejected by Nehru and the Working Committee. There was a rider to the effect that the League would undertake, if they came into the Interim Government, never to allow the interference of the Governor-General in any matter. This was rejected by Jinnah, and was apparently one main cause of the breakdown.

3. I have reported to you from time to time the position about the Measures case in the U.P. Nehru lately hinted² that the Congress would have to resign both at the Centre and in the Provinces if the decision taken by the Governor in his individual judgment is allowed to stand. I do not think that he means this for a moment; anyway I have no intention of giving way. But I think there are a good many misunderstandings, mostly due to the prevarications of Pant. I hope when Nehru knows the full facts he may take a different line, and I think that his threat is really only a "demonstration in force" or a move in the war of nerves.

4. The Political Department have at last agreed with the Chancellor, subject to one or two outstanding points, the draft Rules for the All-India Consultative Committee, and I now propose to discuss the matter in Cabinet. I think it will be another useful step forward to get this Committee started.

5. You will no doubt hear officially from the Home Department that we approved in a Cabinet meeting on the 9th October a proposal of Patel's to advocate, in conference with the Provinces, the formation of an all-India Service on the lines of the I.C.S., but probably with lower pay. It will be open to the Provinces to refuse to share the joint cadre if they wish to do so, and I imagine this will meet the point of the Muslim Provinces. We also decided to go ahead with the formation of an Indian Foreign Service, which is a matter

that has been held up for some time pending the taking of office by a popular Government. Conditions of service in both will depend on the result of the investigations of the Pay Commission, but there is the inevitable tendency of the Congress to keep the rates of pay low, and I think it will be some time before they realise that unless they pay the market value for their recruits they will not get good recruits.

6. I was sorry not to be more encouraging in reply to your telegram³ about the possibility of a Round Table Conference on the South African question. Though I have seen a press report that there are two parties among the Indians in South Africa, and that one of them might favour such a Conference, there is nothing at all to suggest that the Interim Government here would be prepared to make a proposal of this kind: on the contrary they are convinced that they have scored a good deal by the reference to U.N.O., and I expect the Delegation are looking forward to making emotional speeches on the subject.

7. You will be glad to hear that it has been decided to issue a declaration of policy for the whole of British India prohibiting opium smoking, and the States are being asked to follow suit. Legislation will be initiated later. This is a subject on which we have had correspondence in the past.

8. Nehru's direct approach⁴ to Aung San was unfortunate, but he took quite well the protest⁵ that I made and assured me, as I informed you and Rance by telegram,⁶ that no discourtesy at all was intended. I think time will reduce Nehru's enthusiasm for these unconventional approaches; especially if he is let down regularly, as he will be, by people like Krishna Menon.

² No 428.

³ In tel. 18078 of 8 October Lord Pethick-Lawrence informed Lord Wavell he had received information that South African Government circles believed the Govt of India wished to withdraw its case on Indians in South Africa from the agenda of the U N Assembly and to substitute a Round Table Conference. Lord Wavell replied in tel. 2132-S of 9 October giving similar views to those in this para. L/P&J/8/305.

⁴ See No 421. ⁵ See No 430

⁶ This telegram has not been traced; see, however, Enclosure to No. 438.

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Note by Field Marshal Viscount Wavell

R/3/1/118: ff 189-90

16 October 1946

Note of an Interview with Mr. Jinnah 16.10.1946

1. I congratulated Mr. Jinnah on the League's acceptance of participation in the Interim Government, but said that I was to a certain extent disappointed

with the names that he had put forward; I had hoped that he would come in himself, and I also regretted the absence of two leading members of the Muslim League of whom I had formed a high opinion from contact with them, Nazimuddin and Mohammed Ismail.

Jinnah said that he agreed with me about the qualities of Mohammed Ismail and Nazimuddin, but that it was impossible to put in two names from the same Province and since Liaqat Ali Khan and Mohammed Ismail both came from the U.P., it was necessary to drop Mohammed Ismail. It was also necessary to have the Punjab represented, which was why Ghazanfar Ali Khan had been included. There was in the end no room for Nazimuddin.

As to his own entry into the Government, he felt that the Muslim League organization would suffer if he came in.

2. I said that we should have to wait till Nehru returned from the Frontier to settle portfolios, etc. He accepted this, but criticised Nehru's tour to the Frontier in the company of Khan Abdul Ghaffar Khan and Dr. Khan Sahib. This led to the usual accusation against the Congress of arousing communal feeling, of which he instanced Gandhi's remarks on the reported disturbances in Noakhali and the provocative articles in the *Hindustan Times*.

3. I admitted the tension in communal relations, and said that a great deal would depend on the spirit in which the Government at the Centre was now conducted. Jinnah said with great emphasis that it would all depend on whether Congress would get over the idea of the Muslim League coming in as subordinates into a Government run by Nehru, and if they would accept the present constitution and not try to make the Government their own.

He added that the Governor-General was now in a much stronger position, and urged me to be firm and fair in the distribution of portfolios.

4. I spoke to him about the elections by the Sikhs to the Constituent Assembly. He said he would raise no technical objection if I approved the elections, but would like it to be made known to the Sikhs that he welcomed them.

5. We then had some discussion on the long-term issue. He said that there must be some agreement that the terms of the Statement of May 16th, as emphasised in the Statement of May 25th, would be observed by the Congress.

We talked for some time on this. The main point at issue obviously is whether Sections can frame Provincial constitutions. I said that in the end, whatever conditions were made, a Constitution could only be arrived at by general agreement. Jinnah assented to this, but maintained that he would only get his Council to rescind their existing resolution¹ if he could assure them on certain points.

6. I spoke to him about the reported situation in eastern Bengal. I said that I thought the present reports were exaggerated and hoped so, but that the credit

of the Bengal Government was obviously involved, and that any disturbances must be put down with a firm hand. Jinnah agreed entirely and said that there must be firm and prompt action.

7. I then referred to the matter of coalitions in the Provinces, and Jinnah said that he agreed that there should be such coalitions, but that they must be general all over India, and it must not be a question simply of imposing coalitions where there were Muslim majorities. He said that each party should be able to propose their nominations without questioning by the other party. I said that I supposed he meant that the arrangements should be the same as at the Centre, i.e. that Congress would be at liberty to put in a nationalist Muslim, just as he had been at liberty to put in a Scheduled Caste. He shied at this, and obviously tried to avoid the nationalist Muslim issue.

8. Finally, I tackled him about his attitude as regards honours, explaining to him the present position. He said that he was powerless as regards the decision of his Council, but that that only applied to members of the Muslim League and not of course to officials.

9. The interview lasted for an hour, and was very friendly.

[WAVELL]

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Note by Field Marshal Viscount Wavell

R/3/1/118: ff 191-3

SECRET

16 October 1946

Note of an Interview with Sardar Vallabhbhai Patel, 16th October, 1946

1. I told him that I had had a letter¹ from Nehru who was obviously very concerned about events in eastern Bengal, so I had asked Patel to come and see me to let him know what information I had. I gave him the gist of what General Bucher had told me at lunch, and said that the situation seemed to be in hand and sufficient troops and police on the spot, but it was impossible at present to say exactly what had occurred. I hoped that the reports had been exaggerated.

Patel started on a rather truculent note, and asked how was it that when these disturbances had started on the 11th nobody seemed to have known anything in Calcutta until the 14th. He said that his information was that all bridges had been broken and barricades put up so that nobody could go in and out of the area while Hindus were slaughtered. I said that obviously all the bridges could

¹ No 462.

not be broken since the information was that troops and police had reached the points and seemed to be moving about freely. Patel then said that he proposed to go to Bengal himself, I said quite firmly No, that he was not to go; it was a provincial matter and interference from the Centre would be quite out of order. He said that if I had not been going to Bombay he would have suggested that I should go myself. I said that while I was always prepared to go anywhere where I could be of service, I did not propose to interfere with the Governor's functions unless the situation really required it.

Patel then produced this morning's copy of *Dawn*, and pointed out to me the photographs there of the murdered Pathans in Bombay, and asked how it was possible to keep communal peace when this sort of thing went on. I said that I entirely agreed that such provocation was deplorable, but it was not confined to one side only.

I then said that we now had our best chance to put an end to this communal tension by working the Coalition Government at the Centre in a proper spirit. He said that the Muslim League's selection of names showed that they were not coming in in any spirit of cooperation. I said that there certainly would not be cooperation if he approached the matter in that spirit, and that it was our job to make the Coalition work; both parties were deeply suspicious of one another, and so long as the leaders fanned that suspicion matters would not improve

2. This led on to the matter of portfolios. I said that the Muslim League must have their fair share, and that they were entitled to one of the four key portfolios: External Affairs, Defence, Finance, Home. Patel said at once that in that event he was quite prepared to give up the Home portfolio and leave the Government altogether. I told him that that was not the spirit in which to deal with matters.

3. I then told him that I had asked Pandit Nehru to let me know about the matter of the next Honours List. He said that they had decided to consider the question when Nehru came back. I explained that my difficulty was that the List had to be home by early November, and that I should have to carry on as at present. I thought that the current List should go on and then we could discuss the main issue. He was not convinced but said no more.

[Para. 4, relating to the alleged conversations of an official; and para. 5, on an appointment in All-India Radio, omitted.]

6. This sounds as if we had had rather an unfriendly talk, but Patel was quite good-humoured about all our differences.

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Sir F. Burrows (Bengal) to Lord Pethick-Lawrence

Telegram, L/P&J/8/578: f 158

IMMEDIATE
CONFIDENTIAL

DARJEELING, 16 October 1946, 7.20 pm

Received: 16 October, 10.45 pm

No 266. Disturbances in south-east Bengal.

The communal situation deteriorated in the district of Noakhali generally during the past fortnight. Mass meetings have been held at important places urging Muslims to enroll in a national guard. Some of the speeches were violent in character. A strong movement for economic boycott of Hindus developed and Muslims found purchasing from Hindus were beaten up.¹

The situation was at first thought to be particularly bad in sub-division of Feni, and troops (one company) were moved there from Chittagong about October 9th and armed police were asked for from outside the district.

Actually trouble did not develop in Feni but broke out on October 10th in police station of Ramganj in north-west corner of Noakhali. Trouble spread from there and situation as it now presents itself appears to be as follows:—large bands of Moslem hooligans are moving about terrorising Hindus and committing acts of arson, loot and murder, kidnapping and forcibly converting Hindus. Villages have been cordoned and booty and money extracted under threats. The gangs appear to be organised. Roads have been cut in places and communication, difficult at any time at this period of the year, has become even more difficult. Difficulty of movement (largely by boat) has hampered operations. The areas affected in Noakhali district are police stations of Ramganj, Lakshmipur and part of Begumganj, Sonaimuri and Senbag. The trouble has spread to southern part of the tip² in police stations of Hajiganj and Faridganj where there has been looting and arson on a wide scale. Refugees have left the affected areas in large numbers. 2,000 refugees are being provided [for] at Comilla and another 1,000 are being sent by special train from Chaumohani in Noakhali district. Relief arrangements are being made and extra food is being despatched to the tip.³ Up to date some 250 additional armed police have been sent to affected areas and two companies of troops are also operating there. The Minister for Civil Supplies, who has great influence locally, has left for Noakhali. The Inspector-General of Police and Senior Staff Officer of Bengal Area flew to Chittagong today to pick up the Commissioner and from there they will proceed to affected area to concert plans with local officers.

¹ The text of this sentence was received corrupt and is taken here from Wavell Papers, Official Correspondence: India, January 1946–March 1947, p. 177

² and ³ 'the tip' should read 'Tipperra'.

I shall keep you informed of developments.

Repeated to Viceroy and Secretary to the Governor-General (Public).

473

Lord Pethick-Lawrence to Mr Bellenger

L/WS/1/1091: f 202

INDIA OFFICE, 16 October 1946

Thank you for your letter dated 9th October,¹ in answer to my letter of the 19th September,² concerning the retention in India of the major British Units now in that country. I fully appreciate the difficulties with which you are faced and the Government of India has been informed that the allotted man-power ceiling can not be exceeded.³

It is not, however, clear from your letter whether approval has in fact been given to the retention of the major British Units at present in India. I realise that, if all these units are to be retained in India, some underposting may be necessary, in order that the allotted manpower ceiling shall not be exceeded. The extent to which such underposting is possible or desirable, and the best allotment of units within the manpower ceiling, seems to be largely a matter of detail, and you may consider that this could be settled direct between the C.I.G.S. and the C.-in-C. India, now that the policy regarding the total manpower ceiling has been decided.

I should be grateful if you could let me have a reply as soon as you conveniently can, as the decision affects plans in India, especially in connection with internal security schemes.

PETHICK-LAWRENCE

¹ No. 419. ² No. 334.

³ This was done in India Office express letter W.S. 17042/II of 17 October 1946 to the Government of India, War Department. The letter added that the question of retention of major British units within the authorised ceiling was still under consideration. L/WS/1/1091: f 201.

474

Field Marshal Viscount Wavell to Sir E. Jenkins (Punjab)

Wavell Papers. Political Series, June–December 1946, p. 271

No. 592/63

16–18 October 1946

There is now no objection to your going ahead with the election of the Sikhs to the Constituent Assembly. The Congress have for some time been in favour of

the election, and Jinnah has told me¹ that the League also will raise no technical objections to the election. Jinnah particularly asks to be quoted as in favour of the election, and perhaps you could pass this on. Any instructions that may be necessary for the elections could be issued by you, but Reforms Office here will be glad to help if necessary. It will not be necessary to call the whole Assembly for the elections.

¹ See No. 470, para. 4.

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Sir F. Burrows (Bengal) to Lord Pethick-Lawrence

Telegram, L/P&J/8/578: f 159

IMMEDIATE
CONFIDENTIAL

DARJEELING, 17 October 1946, 4 pm

Received: 17 October, 3.35 pm

No. 268. Disturbances in East Bengal. Commencement and prolongation of trouble are repudiated by Moslem League. Every effort is being made to apprehend self-styled leader Golam Sarwar, a former Member of the Legislative Assembly, defeated by the League candidate at last election. Chief Minister in Press statement yesterday stated categorically that Moslem League condemns all such disturbances. Local League leaders endeavouring to restore order. Latest situation report follows.

Repeated to Viceroy, Bombay.

476

Field Marshal Viscount Wavell to Sir F. Bourne (Central Provinces and Berar)
(Extract)¹

R/3/1/126: f 67

No. 40/7

18 October 1946

We have at last achieved an uneasy sort of coalition, and the Muslim League nominees will take office next week, I expect. They sprang a surprise on the Congress by including a Scheduled Caste representative, no doubt as a counterblast to the Nationalist Muslim, but there is of course more to it than this: I am pretty certain that the Muslim League are looking to their future in Group C, and trying to lay the foundations of an alliance with the Scheduled Castes in this way. I can only hope that by working together and actually coming to grips

¹ Only this extract is on R/3/1/126.

with the problems of administration and planning, the various Members will gradually learn to trust each other and get along as a team. From this point of view it is perhaps a good thing that Jinnah himself is not going to be in the Cabinet.

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Lord Petluck-Lawrence to Field Marshal Viscount Wavell

L/PO/10/23

PRIVATE AND SECRET

INDIA OFFICE, 18 October 1946

Received 24 October

Thank you for your letter of 9th October.¹

2. First of all I must congratulate you more adequately than was possible in a brief telegram² on your success in getting the Muslim League into the Interim Government. You have now achieved what I know you have been aiming at ever since you first took office. In recent weeks we have obviously been on the edge of a volcano and, while one cannot be too confident that the Interim Government will endure, we can at least hope for a relaxation of communal tension for a time. It will not be an easy team but I hope they will shake down and that the effect of working together on practical affairs will be to remove, or at any rate reduce, their suspicions of one another. On balance I think it is perhaps as well that Jinnah himself is not included as personal relations between him and some of the Congress leaders are so strained.

3. I am afraid my telegram No. 18411 of the 15th October³ may have seemed to you to raise unnecessary difficulties. Your telegram No. 2162-S⁴ was received at half-past six in the morning and I was rung up at a quarter-past seven after it had been decyphered and approved a reply on the telephone. Unfortunately, the Office overlooked your telegram No. 2160-S,⁵ which had come in at 11 o'clock the previous evening and when I sent my reply I was not aware of it. It was, of course, impossible to get the King's approval and communicate it by midday (your time) which had by then already passed, but if I had known the contents of your earlier telegram I should not have telegraphed as I did, and in fact as soon as I saw that telegram I took immediate steps to obtain the King's informal approval. In actual fact, we could not have obtained it earlier than we did as the King was travelling back to London that morning and did not arrive until 12-30, but I can appreciate that at your end the delay must have seemed tiresome.

4. I was very glad to hear that, after the constant strain of the last few weeks,

you were getting away for a short break to Bombay. Even though the object of your visit is business rather than pleasure, you will appreciate the change and the opportunity of meeting your daughter who, I hope, arrived safely after a reasonably comfortable journey.

5. On the strength of the news from Delhi I have told Colville that the question of a visit by you to this country is now in abeyance. Meanwhile, he has intimated that, as a consequence of his daughter having had to have her tonsils removed, he would like to return to Bombay a week later than he originally intended, leaving London on 26th November.

6. I admit that you have something of the laugh over me in the matter of Sudhir Ghosh and I am sorry to hear that he has so greatly exaggerated the importance of his doings in London. The facts are that he had one short interview with the Prime Minister on the strength of a personal letter¹ of introduction from Gandhi in his own handwriting; that he saw me on, I think, three occasions; and that, as far as I am aware (and I have made some enquiries) the Government had no hand whatever in his visits to Paris and Geneva, the latter visit being, I think, made under the auspices of the Society of Friends. Nor did I suggest that it would be a good thing if he saw you on his return.

7. As regards his relations with the press, I understand from Joyce that Ghosh was in touch with *The Times* on several occasions during his visit. They were naturally interested in what he had to say, especially in view of his close contact with Congress leaders. I am told, however, and I think it can be accepted, that it is a gross exaggeration that the editorial staff allowed themselves to be mesmerized by a comparative light-weight. Apart from *The Times*, Ghosh met the editorial representatives of most of the other principal papers, notably the *Manchester Guardian*, *News Chronicle* and *Daily Herald*, and he wrote a half-page article for the last-named but it was of a very superficial nature.

8. I am sorry if you feel that I caused you some embarrassment over this young man. But in view of the special capacity in which Ghosh acted during the Mission and of the fact that Patel specially asked for facilities to be given for him to come here, I felt that we should have given an unnecessary affront to the Congress leaders if we had refused their request. Of course there was always the danger that Congress would try to use him as a channel to communicate with the Government here behind your back. But I scotched this by letting him do most of the talking and when he asked my advice sticking firmly to your point of view. Indeed, I think it is mainly because Congress have been disappointed in their expectation that he would be useful to them in this way that Ghosh has returned to India. As you know I do not share your strong antipathy

¹ No. 422.

² Tel. 156 of 16 October. Wavell Papers, Political Series, June–December 1946, p. 263.

³ No. 460.

⁴ No. 458.

⁵ No. 449.

⁶ No. 3.

to Ghosh but I agree that he has now got swelled head and can be allowed to fade out of the picture.

9. I am not surprised to hear that Nehru is likely to find Krishna Menon an embarrassment if he is allowed to travel around on a roving commission without specific instructions, and I was relieved to see from the External Affairs Department telegrams that Menon has been told to wait until he has been to New York before setting out for Moscow. The point which you made in your telegram No. 2002-S of 23rd September⁷ about official briefs and proper accrediting seems to have made some impression; I hope you may be able to drive the point home, when the time comes. As you know the Russian technique is very strictly to tie their representatives to the terms of their briefs and they would be most unlikely to understand what authority a man had who came speaking only for himself and without proper credentials.

10. A week or two ago I discovered through a chance enquiry from the Washington Embassy as to the date of the expected debate on India in Parliament, that Inverchapel had a longstanding engagement to take part on 28th October in Mrs. Ogden Reid's (New York Herald Tribune) *Forum*, an annual function by no means without importance.⁸ The general programme on this occasion is to be called *Frontiers of Justice* and that part which deals with India "India's Political Freedom", the Congress Party being represented by Krishna Menon and the Muslim League by Ahmad [Mirza Abul Hassan] Ispahani. I at once wired to Inverchapel asking him if it would be possible for the function to be postponed and saying that, if he was irrevocably committed to speak and unless he proposed to confine himself to a purely factual review, I would like to see in advance the text of what he proposed to say. Inverchapel replied that postponement was out of the question and that if he were to back out altogether it would be taken amiss and he forwarded me the text of what he proposed to say. I must confess that this gave me rather a shock and it seemed clear that an entirely different approach was required. I therefore replied to Inverchapel that it was essential that he should give a much more general address and one less closely related to the actual situation and to recent events, and that the India Office would telegraph as quickly as possible the outline of the kind of statement which I suggested he might properly make, subject to further guidance which it might be necessary to communicate to him in the light of developments in India in the intervening period. Considerable effort was expended here on the preparation of a suitable outline of the speech and this has now been telegraphed to Washington. I have asked Inverchapel to let me have by telegram the final draft text of his speech, based on the outline that has been sent to him, and I hope that this will prove to be satisfactory.

11. With Cripps—Alexander could not get there—I went on Wednesday to

a most agreeable reception at the Connaught Rooms, given to us, as the Cabinet Mission, by the London Majlis, the organisation of nearly 400 Indian students in London, with a membership of Hindus and Muslims and all political creeds alike, including a fair sprinkling of ardent young Communists. We talked to some of the 200 students there informally for an hour or so before tea and found them serious but friendly. The President, R. A. Zakaria, a Bombay University scholar (who is also correspondent of the Bombay magazine "Blitz"!), made a quite polished and sincere speech of welcome, refraining, with obviously painful reluctance, from commenting on that day's big political news from India. He with the other student speakers said that the prejudices they had brought to England had been dissolved by University camaraderie, and that they liked and respected our people, our way of life and our national discipline, and talked of Indo-British cooperation in the future. We replied informally and tried to impress on these young people what a truly great opportunity and responsibility had just now come upon them to turn diligence in their studies and experience gained here to the advantage of the new India.

12. The Preparatory Committee on Trade and Employment, which is being held under the auspices of the Economic and Social Council of U.N.O., opened in London this week. It was felt appropriate that the Indian Delegation, the first of its kind to arrive in this country, since the installation of the Interim Government, should be entertained at a Government luncheon. This is taking place today and I am to preside. I am also to have a talk with the leader of the Delegation, R. K. Nehru, one day next week.

13. I am sorry to hear that Wylie is having further trouble over the Inspector-General of Police's circular but I hope that you are right that it is not likely to lead to anything serious. It was satisfactory that Pant did not get backing in Delhi for his protests about this.

14. I am afraid that I am still unable to report any substantial progress here regarding the scheme of compensation for members of the Secretary of State's services. Since I have been given to understand that recent delays have been largely attributable to the attitude of the Treasury, I took the opportunity of a Cabinet Meeting yesterday morning to have a word with Dalton and impress on him the need for an early decision on the matter. He undertook to see that the Treasury would give all the help they could to this end.

[Para. 15, on the case of a British member of the Indian Police; para. 16, on a meeting with certain service organisations on alternative employment for officers; and para. 17, on the petrol concession granted to civil officers on leave from India, omitted.]

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*Sardar Patel to Sir S. Cripps¹**L/PO/6/102c: f 21*

I AURANGZEB ROAD, NEW DELHI, 19 October 1946

My dear Sir Stafford,

I thank you for your letter of the 23rd September² which was sent through Sudhir. I am glad to hear that he has been helpful in the formation of public opinion on Indian matters. Your suggestion of sending him back in a more official capacity is under consideration, but we are here at present working under great difficulties, of which perhaps you have hardly any idea.

You will, I am sure, remember that, when you were here, we had a long conversation on the likelihood of communal trouble in India, in case there was no settlement with the Muslim League. I told you that there was no possibility of any trouble except in Bengal and Sind, and you told me, "You need not be afraid of Bengal, as we have a Governor who would immediately put Section 93 into operation in case of any serious trouble". You have heard, I believe, of the "Great Calcutta Killing". Those who have seen the thing can alone realise what it was. But now what is happening in Eastern Bengal is much worse and the Calcutta incident pales into insignificance before Noakhali. In Calcutta Hindus had the best of it. But that is no comfort. Was Noakhali by way of revenge? My point just now is that the Governor did nothing to prevent the mischief if he had wished to avoid it. At least that is the general impression. I will not bother you with the details, but I am just sending you a copy of a letter³ which Jawaharlal wrote to the Viceroy on the eve of his departure to the Frontier. I am also enclosing a copy of a letter⁴ from another friend who has been a Member of the Working Committee for many years.

Would you believe that the Governor of Bengal has, all throughout these terrible happenings, been enjoying the bracing climate of a hill-station known as Darjeeling?

I myself received many letters and telegrams from the terror-stricken people of the unfortunate area. Similar warnings were addressed to the Viceroy and the Governor but the Provincial Autonomy serves as a screen to prevent Government action. You would realise how difficult it is for an Indian Home Member to sit in his office quietly day by day, when innumerable piteous appeals and complaints are received for some kind of help which would give these unfortunate and helpless victims some protection.

You must have seen that the League have decided to come in the Interim Government at last, but you will see the correspondence that has passed between Mr. Jinnah and Pandit Nehru, which has been published and which

will give you an idea of the object with which they come in. There is something uncanny in the way things are done. Whilst we fully realise your difficulties, all three of you must at least give some thought to the terrible strain that has been put upon us.

I have ventured to write this letter to you because I was encouraged by your kind letter. You may share it with your two colleagues. My best wishes to you and them.

I hope you have benefited by the change and rest you had for a month.

Yours sincerely,

VALLABHBHAI PATEL

¹ On 24 October, one of Sir S. Cripps' Private Secretaries sent a copy of this letter to Lord Pethick-Lawrence's Assistant Private Secretary.

² Not traced ³ No. 462.

⁴ Not printed. The letter, dated 17 October 1946, was from Sir Profulla Chandra Ghosh.

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Minutes by Sardar Patel, Mr Porter and Mr Abell

R/3/1/181: f 129

19-23 October 1946

I do not regard it as satisfactory that a matter of this importance¹ should have been dealt with by an officer of the Home Department without any mention having been made to me of this subject and the progress that had been made. The matter is of some importance in connection with the proposals to form an All India Service. It is obvious that the terms of compensation etc. would have some bearing on the personnel that would be available to us to start an All India Service if and when formed. I should like to know as soon as possible but by Monday morning at the latest what the position is. If necessary an Immediate telegram may be sent to the India Office to ascertain the position up to date ²

V. J. PATEL

H.M. Home

19.10.46

Secretary

PSV is invited to see the correspondence in this file and the draft of a telegram³ which H.M. has approved. H.M. desires the matter to be brought to the notice of His Excellency before the telegram issues.

A. E. PORTER

22.10.46

¹ i.e. the question of compensation for the Secretary of State's Services when the Secretary of State's control was removed. ² See No. 480.

³ This would appear to have been a draft of No. 499.

H.E. approves issue of the draft.

G. E. B. ABELL
PSV

23.10.46

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Governor-General (Home Department) to Secretary of State

Telegram, R/3/1/181: f 127

MOST IMMEDIATE
SECRET

19 October 1946

No. 9032. We should be grateful if you would let us know for the information of the Home Member, who would like to have the information by Sunday evening at latest, what position has been reached regarding the termination of services of Secretary of State's Officers and proposals for compensation thereon.

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Secretary of State to Governor-General (Home Department)

Telegram, R/3/1/181: f 128

MOST IMMEDIATE
SECRET

INDIA OFFICE, 19 October 1946, 7.5 pm
Received: 20 October, 2 am

No. 18721. Your telegram of October 19th No. 9032.¹ Proposals for compensation terms for Secretary of State's services are still under consideration by H.M.G. Every effort is being made to finalise them, but it is not possible at present to forecast date by which proposals will be communicated to Government of India.

2. As regards question of date for termination of services of Secretary of State's officers it is recognised throughout that this cannot (repeat cannot) be later (repeat later) than date from which constitutional changes have effect. But possibility of applying any other earlier date has not been specifically considered in the absence of information from Government of India as to progress made with problem of creating services to replace them.

¹ No. 480.

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*Sir F. Burrows (Bengal) to Lord Pethick-Lawrence**Telegram, L/P&J/8/578: f 153*IMMEDIATE
SECRET

DARJEELING, 20 October 1946, 9.10 pm

Received: 21 October, 6.20 am

No. 273. Following is appreciation referred to in my immediately preceding telegram.¹

Trouble in South-East Bengal is not a general rising of Moslems against Hindus but activity (apparently organised) of a body of hooligans who have exploited existing communal feeling and who, as they range the countryside, are temporarily joined in each locality by belligerent Moslem roughs. Operations, in which 5 companies of troops and some 300 armed police are participating, are directed towards isolating main (?leader)s² and localising the disturbances. Owing to difficulty of communications, progress of operations is slow and contact with main body of rioters is difficult to establish, especially as area affected is thickly insulated with tree (?s omitted) and aerial observation is not always easy. There is reason to believe that actual disturbances are now confined to extreme north-west corner of Noakhali district and three south-west thanas of Chandpur sub-division of Tippera.

2. In areas which are or have been affected damage to property (often after desertion by owners) will probably prove heavy, but all evidence available supports conclusion that figure of 5,000 dead quoted in Calcutta press is grossly exaggerated. The number should certainly not be in four figure category and is (?expected) to be low in the three figure category. No official report so far received has referred to presence of dead bodies in any number. Subdivisional Magistrate of Chandpur reports that only five or six deaths have been reported there and that number of persons injured among 10,000 refugees at that centre is two or three. Statistics are however impossible to obtain locally (?when) so many of the Hindu population have fled.

3. As I see it, there are three problems: (1) to crush the roving bands who are responsible for the flare-up. This is the immediate object of military-police operations, to which I have referred. (2) Relief for displaced persons. There can

¹ This telegram merely announced the despatch of 'appreciation on public order in Bengal'. In tel. 18655 of 18 October Lord Pethick-Lawrence had asked Sir F. Burrows for 'latest appreciation of position in Calcutta and Eastern Bengal' to enable Mr Henderson to answer a Parliamentary Question on 21 October requesting a statement on public order in Bengal. Lord Pethick-Lawrence added that 'your own estimate in light of your tour would be particularly valuable'. In a further telegram (18688 of 19 October) he asked that the appreciation should include 'reasons why accurate information as to situation in Eastern Bengal has not been available.' L/P&J/8/578: ff 154, 150, 148.

² 'gangs' in Wavell Papers.

be no question that Hindu population not only in areas already affected but far beyond them, are panic-stricken and many of them have left their homes in areas remote from the disturbances and have flocked into the relief centres. Thus there are reported to be 10,000 refugees at Chandpur of whom at least half are from areas to the north where there have been no disturbances. 20,000 refugees are (?reported) (corrupt group) in five other centres and your [?this] figure is probably not exhaustive. Second problem therefore is relief of these persons, and this is in hand both as regards food and medical relief. (3) Third problem is that of rescuing Hindus still isolated in turbulent areas and (in the long run more promising of result) inducing refugees to return to their homes, specially those from areas in which there have been no disturbances. Discussion with local officials and non-officials convinces me that this last can only be accomplished if we provide protection locally. I have asked for and obtained services of two more Indian battalions with this primarily in view, the forces already on the ground being considered by local officers sufficient for the operations referred to under (1). These two new battalions are expected to arrive today.

4. With my Chief Minister I made two extensive flights over affected area yesterday and today. Leaflets in Bengali, provided by my Chief Minister, deprecating this lawlessness and appealing to people of affected areas, particularly Moslems, for peace have been widely scattered from aircraft. Until police and military have dealt with main gangs it will be impossible to say that situation is under control and even then it will be a long time before confidence is restored. I have already explained that difficulties of communications and fact that principal victims are panic-stricken have militated heavily against our obtaining accurate information at all stages.

5. As regards Dacca events in Tippera and Noakhali have not yet affected position there. Situation in town and district has been definitely quieter since 15th October, since when there have been only four serious incidents with three fatalities. Previous extreme tension is lessening but there is still very great suspicion between the two communities. Possibilities of repercussions of Noakhali and Tippera disturbances cannot be ruled out.

6. In Calcutta, after a quiet week with a few isolated incidents, there was an increase of incidents on 19th. Rapprochement between the two communities is making only slow progress because of news from South-East Bengal and some amount of economic boycott which is reciprocal but (?inevitably) (?derive)s mainly from Hindus. Tension is (corrupt group)³ high, though generally normal life of city is proceeding. Police are out in large numbers patrolling and at fixed points and military are also still patrolling from Fort William. Situation would deteriorate if police and military precautions were relaxed.

Repeated to Viceroy.

³ 'still' in Wavell Papers.

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*Sardar Patel to Field Marshal Viscount Wavell**R/3/1/118: ff 212-13*

I AURANGZEB ROAD, NEW DELHI,
20 October 1946

Dear Lord Wavell,

Raja Ghazanfar Ali Khan's speech (copy herewith) is disconcerting and bodes ill for the future. It should be noted that the speech was made before the impressionable students on the 19th instant, i.e. after his name was sent by Mr. Jinnah as a Member of the Interim Government on behalf of the Muslim League.

Should he not withdraw the speech before he takes the oath of office?

Is the Interim Government to be the arena of party politics and intrigues and for driving in the very partition wedge which the long-term arrangement has withdrawn once for all and replaced it by grouping which in itself seems to be voluntary? What it is and what is its scope is for the Federal Court to decide, unless the parties agree among themselves.

In any event the forum for every discussion on the subject is not the Interim Government but the Constituent Assembly.

The Interim Government is to run the Government machinery smoothly during the interim period on purely nationalist, democratic lines. Removal of corruption, communications, scarcity of food and clothing, health of the millions, their education, removal of chronic poverty and crying social reforms including removal of untouchability, are the immediate needs of the country. If wrangle over partition and fomenting of trouble are to take the place of the immediate work of the administration, it would be a question for the Congress to revise its attitude about shouldering the burden it has taken over in response to your invitation.

And probably the Raja is not the only League Member to think as he has spoken. Who can say that he does not voice the mind of the League?

It seems to be quite clear that before the coalition comes into being and portfolios are re-distributed, besides the withdrawal of the speech in question, there should be a clear announcement by the Council of the League accepting the long-term arrangement and the text of the resolution of the League Working Committee should be supplied to the present Members of the Cabinet. The date fixed for the meeting of the Council of the Muslim League for the cancellation of its resolution rejecting the long-term Scheme by its Bombay meeting should also be announced by the Muslim League.

I am sure you will yourself recognise the necessity of the foregoing requirements if the Interim Government is to run well and the present trouble is to subside.

Yours sincerely,

VALLABHBHAI PATEL

Enclosure to No. 483

LAHORE, 19 October 1946

Ghazanfar Ali Khan, Member-designate in the Interim Government, addressing the Islamia College students in Lahore today said: "We are going into the Interim Government to get a foothold to fight for our cherished goal of Pakistan and I assure you that we shall achieve Pakistan. The disturbances which have occurred in many parts of the country after the installation of the purely Congress Government at the centre have established the fact beyond the shadow of a doubt that the ten crores of Indian Muslims will not submit to any Government which does not include their true representatives. The earlier the Congress realises this the better that no power can suppress the freedom upsurge among the Muslim nation. We irrevocably stand for Pakistan and [?as] our ultimate goal and I assure you that under the leadership of Qaid-e-Azam Jinnah we shall achieve our goal. In the Interim Government all our activities should be guided by considerations that is to convince the Congress that no Government in India can function smoothly without the co-operation of the Muslim League and that the League is the sole representative organisation of the Indian Muslims. The Interim Government is one of the fronts of the direct action campaign and we shall most scrupulously carry out the orders of Mr. Jinnah on any front he orders us."

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Mr Attlee to Field Marshal Viscount Wavell (via India Office)

Telegram, Wavell Papers. Political Series, June-December-1946, p. 273

IMMEDIATE

21 October 1946

SECRET

No. 158. Following personal from Prime Minister. My colleagues have asked me, when sending you message contained in my immediately succeeding telegram, to convey to you their congratulations on successful achievement of a coalition government in India. To this I would add an expression of my personal congratulations.

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Mr Attlee to Field Marshal Viscount Wavell (via India Office)

Telegram, Wavell Papers. Political Series, June–December 1946, p. 273

IMMEDIATE

21 October 1946

SECRET

No. 159. Following from Prime Minister. Following is text of message referred to in my immediately preceding telegram and which it is suggested you should read out at first meeting of your new Council:—

Begins. On occasion of this first meeting of reconstituted interim government His Majesty's Government send their cordial greetings and warmest wishes for future. *Ends.*

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Minutes by Mr Scott and Mr Abell

R/3/1/126: ff 72–3

21–2 October 1946

Mr Scott to Mr Abell

The points which seem to be worrying the Muslim League can be listed under the following heads:—

- (1) The method of deciding Group and Provincial constitutions.
- (2) The scope and determination of Central subjects.
- (3) Details of the working of the Constituent Assembly.
- (4) The statement occasionally made on behalf of the Congress, that the Constituent Assembly will be a sovereign body.

(1) The League wants categorical assurances that the Sections will sit as such for the framing of both Group (if any) and Provincial constitutions. In fact, this assurance was given in the meeting between the Secretary of State and Sir Stafford Cripps, on behalf of the Cabinet Mission, and representatives of the Muslim League, which was held on the 16th May.¹ At that meeting the specific question of whether each Section would be entitled to frame the constitution for the Provinces within it, irrespective even of whether the representatives of these Provinces attended the meeting of the Section or not, was answered in the affirmative by Sir Stafford Cripps. H.E. has also made it quite clear, in his

¹ Vol VII, No. 301.

telegram of September 4th² to the Secretary of State, that it was the intention of the Mission that Provincial constitutions should be framed by the Sections sitting as Sections. At times the Congress have veered towards accepting this decision, but they have never in fact publicly accepted it. The nearest they have come is to say that the Sections will have power to arrange their own procedure;³ the point at issue, however is not one of procedure but the basis on which the Sections will work.

H.E. has also stated in his telegram of August 31st⁴ to the Secretary of State (para. 5) that this point about grouping must be settled before the Constituent Assembly can be summoned.

Connected with the same difficulty about grouping, is the question of Provinces opting out. This point also has been covered in the interview given by the Secy. of State and Sir Stafford Cripps to the Muslim League delegation, as well as being quite clearly stated in para. 19 (8) of the Statement of May 16th (i.e. that Provinces will only be able to opt out of a Group after the first elections held under the new constitution—framed by the Sections in which Provinces are at first compulsorily put).

HMG's assurance in the debate in Parliament⁵ that they would accept the decisions of the Constituent Assembly framed on the basis of the agreed procedure laid down in the Statement of May the 16th leaves a loophole by still making it possible that HMG will not refuse to accept decisions arrived at otherwise than in accordance with the Statement of May the 16th. This is a further subject of suspicion on the part of the Muslim League.

(2) The Muslim League is anxious that the Constituent Assembly should have no power to alter Group and Provincial constitutions, and no power to interfere with their framing except in so far as it may be necessary to devise a joint machinery for the determination of the actual limits of Central subjects where they impinge on Group or Provincial subjects. The Muslim League is prepared to consider the Federal Court being made the arbiter on this point.

The Muslim League have not made up their minds about how they wish to have the Central subjects financed. In the interview with the Secy. of State and Sir Stafford Cripps on the 16th May it was stated that the question of whether or not Union subjects would be financed by direct taxation imposed by the Union was left entirely for the Constituent Assembly to decide. This clearly does not rule out of court the possibility of Central subjects being financed by contributions from the Groups. The Secy. of State indeed, in amplifying Sir Stafford Cripps' answer, pointed out that if proposals in regard to financing the Union subjects were unfair to the Muslims, they would have the protection of the provision in the Statement which requires that any resolution raising a major communal issue needs a majority of the representatives of the two major communities.

(3) Ten points were raised by Mr. Jinnah in a letter to Sir B. N. Rau⁶ and answered.⁷ Copies of the questions and answers are below. No additional points, so far as we know, have yet been put to Sir B. N. Rau by Jinnah.

(4) Objection to the sovereign status of the Constituent Assembly was taken in the Bombay Resolution of the Muslim League of 29th July.⁸

I. D. SCOTT

21.10.1946

Mr Abell to Field Marshal Viscount Wavell

The above note gives some points that may be raised by Mr. Jinnah.

His official position, so far, is however stated in Y.E.'s telegram of the 26th Sept. to the S/S.⁹ He asked on the 25th for assurances:

(a) that the representatives would meet in Sections,

(b) that there would be a satisfactory method of deciding whether e.g. the Union constitution overlapped with that of a group or province, and (c) that there would be a satisfactory arrangement for deciding on the interpretation of the Statement of the 16th May.

For (b) and (c) he would probably accept the Federal Court, and (a) is already settled.

But at that time Jinnah's object was to damp down discussion of the long-term issue. He may take a different line now.¹⁰

G. E. B. ABELL

22/10/46

² No 255

³ Mr Abell minuted 'I do not think they have said this. It has only been said by Rajagopalachariar (to Y E) [No 311] and is known to be the view of Sir B N Rau [see No. 281].'

⁴ No 231.

⁵ See Appendix I to No. 317

⁶ See No. 337

⁷ No 350.

⁸ No. 86.

⁹ No. 364

¹⁰ Lord Wavell minuted on 22 October 'See my note on interview with J [Jinnah] [No. 488].'

Mr Abell to Field Marshal Viscount Wavell

R/3/1/126: ff 76-7

22 October 1946

Y.E. asked me to draft to the Secy. of State about a public statement (to be issued if necessary) on the point that the Sections will frame the Provincial Constitutions.

2. In your telegram of the 11th September¹ you said that the Congress ought to know that in the interview between the Cabinet Mission and the Muslim League representatives on the 16th May,² the following interpretations of the Statement were given:—

(1) the decision in the Sections would be by majority vote of the representatives of the Provinces within the Section;

(2) the Constitutions for the Provinces would be framed by the Sections;

(3) the convening authority for the Constituent Assembly is the Viceroy.

3. In his reply dated the same day,³ the Secy. of State agreed that if Jinnah based his case for assurances on the notes taken by the Muslim League from the record of the meeting on May the 16th, you would be free to tell Nehru that the Mission had given these interpretations to the League.

4. So far as I know, Jinnah has not yet mentioned the notes of the interview on May the 16th.

5. In your telegram of the 14th September⁴ to the Secy. of State, you said you wanted an assurance that H.M.G. would, if necessary, issue a statement making it clear that the Sections can decide their own procedure.

6. This telegram of the 14th September was discussed by the Secy. of State with the Prime Minister. In his reply dated the 16th September,⁵ he said that before H.M.G. could undertake to make such a statement, they must know in full what assurances Jinnah asked for.

7. According to the interview sheet,⁶ the point on which Jinnah wants an assurance is that the Provincial Constitutions would be framed by the Sections. When Jinnah put in some points to Sir B. N. Rau,⁷ he did not include this among them, and seems to have assumed that the Sections would frame the Provincial Constitutions since he said in his seventh point "Is it open to the Union Constituent Assembly to modify in any way the Group or Provincial Constitutions *as settled by the Sections*?" Sir B. N. Rau replied⁸ to this "Broadly speaking, the answer is in the negative provided the Group and Provincial Constitutions confine themselves to their legitimate sphere."

8. Paragraph 19 (v) of the Statement of May 16th is very clear on the point. It says "These sections shall proceed to settle the Provincial Constitutions . . ."

9. It is so clear that the Provincial Constitutions would be settled by the Sections that I can hardly believe Jinnah will really concentrate on this point. I think the trouble is that he does not know what assurance he wants. It is much more likely that he will want, when he considers the matter, the assurance that the Sections can decide their own procedure. This is the one that was asked for in your telegram of the 14th September mentioned above and the one to which

HMG refused to commit themselves without knowing what other assurances were required.

10. If we telegraph home insisting on an assurance that HMG will issue a statement of this kind, it will presumably have to go to the Prime Minister and possibly the Cabinet, and I am doubtful whether it is worth while referring it to them in advance of any request by Jinnah for an assurance on this point and without any statement of other assurances that he needs. However I attach a draft⁹ in case Y.E. thinks a telegram should be sent.¹⁰

G. E. B. ABELL

¹ No. 306.

² Vol. VII, No 301

³ No. 308.

⁴ No 320.

⁵ No. 322.

⁶ No 470.

⁷ See No. 337.

⁸ No. 350.

⁹ Not printed

¹⁰ Lord Wavell minuted on 22 October 'Perhaps we had better wait now to know what assurances Jinnah asks for.'

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Note by Field Marshal Viscount Wavell

Wavell Papers. Political Series, June–December 1946, pp. 275–6

HIS EXCELLENCY THE VICEROY'S DISCUSSION WITH MR. M. A. JINNAH,
DATED THE 22ND OCTOBER 1946

1 I told Mr. Jinnah that we must have a quick decision about portfolios, since the Legislative Assembly meet early next week. I told him that I was seeing Nehru today, and would see him later or else arrange a joint meeting between him and Nehru. He did not seem to favour this latter proposal and referred to previous abortive meetings with Nehru.

I told him that I thought the League should have one of the three portfolios: Defence, Home, or External Affairs, and also the Commerce or Industries and Supplies portfolios, but that I might have some difficulty with the Congress over the distribution. I asked him about the qualifications of his nominees, but beyond the fact that they all seemed to be lawyers and were all, according to him, very competent men, I did not get much enlightenment.

Jinnah finally suggested that I should make two lists of portfolios according to what I thought fair, and should then let Nehru have the first choice, as was sometimes done in legal disputes. I said that I was afraid that this would present considerable difficulty.

2. I then asked Jinnah how soon he could call his Council together to deal with the long-term issue. He said that he could summon them at 15 days notice,

but that he must be satisfied first on certain matters. I asked him what these matters were, and he merely referred to statements by Gandhi and others indicating that Congress had not really accepted the Statement of May 16th. I was rather short with him at this time, I said that he had had five weeks in Delhi, during which I had put the services of Sir B. N. Rau at his disposal, to decide what assurances he wanted; he had put certain issues to Rau¹ and had got replies,² and I had heard nothing more from him; I therefore assumed that he was satisfied. If he was not, why was he wasting time like this, because the matter was urgent.

He took up an attitude of injured innocence and said that he had wasted no time at all, but that he must be able to put something in front of his Council. I asked him to let me know definitely what assurances he wanted. I gather that the principal matter is of the sections framing the Constitution of Provinces.

3. I then spoke of the necessity to ease the communal tension and of the unhelpful speeches recently made but [by] Liaquat Ali Khan and Ghazanfar Ali. Jinnah became rather communal and spoke of Gandhi's "continuous outpouring of poison". I said that I was very disappointed that Jinnah and the League had not issued an unequivocal statement condemning what was happening in Eastern Bengal. Jinnah said that he had thought of issuing a statement, but referred to what was happening in other parts of India. I said that whatever was happening in other parts of India the point was that if he condemned, as I was sure he did, what was happening in Eastern Bengal, it was to his own advantage and that of the League to say so at once and in the plainest possible terms. He promised to consider a statement.

4. The interview lasted about fifty minutes. It was not particularly encouraging, although Jinnah assured me repeatedly that he was anxious to see communal harmony. He rather gave me the impression of having lost grip of his organisation.

¹ See No. 337

² No. 350.

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Field Marshal Viscount Wavell to Pandit Nehru

R/3/1/118: ff 228-9

22 October 1946

Dear Pandit Nehru,

I am glad you are back in Delhi. I am afraid you have had a difficult time, if the accounts in the papers are to be believed, but I hope you are none the worse.

2. I am sorry to bother you so soon, but, with the Assembly sitting on Monday, it is essential that we should settle at once the matter of these portfolios and get the new Members sworn in.

3. I am afraid I cannot accept the position stated in your letter dated 15th October¹ that the minority representatives must all continue to hold their portfolios and that the most important portfolios held by the Congress nominees must also remain with them. It is, I think, inevitable that I should ask that one of the following portfolios should be made available to the Muslim League:

External Affairs
Home, or
Defence.

Similarly I think the Muslim League must have either Industries and Civil Supplies or Commerce.

4. I should like to discuss this matter with you today and perhaps you would be good enough to let me know when you could conveniently come. In order to get a quick decision I suggest that you should come with full authority to settle the matter so far as the Congress are concerned.

Yours sincerely,
WAVELL

¹ No. 463.

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Note by Field Marshal Viscount Wavell

Wavell Papers. Political Series, June–December 1946, pp. 276–7

HIS EXCELLENCY THE VICEROY'S DISCUSSION WITH PANDIT JAWAHARLAL NEHRU, DATED THE 22ND OCTOBER 1946

1. We began with some discussion of his recent visit to the Frontier. He was inclined to complain that, all the trouble happened at visits which had been officially arranged, whereas where the arrangements were made unofficially and without notice things went much better. I asked him whether he implied that the Political Department had fostered the disorders, and he said that he was not accusing the Department, but that he was sure that certain political officers were not impartial.

We then had some discussion on the problems of the Frontier and the tribes generally, and also of the North-East Frontier. Nehru was quite reasonable about these and discussed them sensibly.

2. We then went on to portfolios. He said that he had had my letter,¹ but that he had not had the opportunity of consulting his colleagues. He emphasised the difficulties of moving any of the Minority representatives: and he would be very averse to giving up the External Affairs portfolio himself, especially after what had happened on the Frontier. He said that it would be very difficult to persuade Patel to move from the Home portfolio. I suggested that he should make a special appeal to Patel on my behalf to take the Works, Mines and Power portfolio, which I said was a most important one, and required a man of his calibre. He listened to this without much comment.

He then said that it might perhaps be possible to move Bhabha from Commerce.

I said that if these portfolios could be arranged, I did not think there would be much difficulty over the others, and suggested that Posts and Air, Education, and Law, might go to the League.

Nehru said that he would let me have his views on portfolios after Council tomorrow.

3. He then asked about Mr. Jinnah's intentions on the long-term plan, and we had a certain amount of argument about this on the old lines.

I then told him that I had instructed the Governor of the Punjab to proceed with the election of the Sikhs to the Constituent Assembly, if they agreed.² He concurred and said that he thought that this had been done long ago.

4. I then talked of the Eastern Bengal trouble and the communal tension in India generally; and said that the only hope was the success of the Coalition at the Centre and an appeal by the leaders to their followers to abstain from communal disturbances. He said that would be all right if the Coalition worked, but that there was not much sign of its doing so. He referred to the speeches by Liaquat Ali Khan and Ghazanfar.

5. We then discussed the question of Honours, and he said he would let me know in a couple of days.

6. He finally raised the Measures case, and I told him of the account I had received, i.e., that Measures' resignation was due to a misunderstanding of a discussion with the Premier; that I had not yet replied to his letter³ because I was still in consultation with the Governor. He said that he had seen all the papers in connection with the case, and that he thought the issue was quite simple. The Premier said that he was sick and tired of all the discussions with the Governor, who always raised some fresh issue. We left it at that.

7. Nehru was subdued, and looked very tired.

¹ No. 489.

² No. 474.

³ No. 428.

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Sir A. Lascelles to Field Marshal Viscount Wavell

Telegram, Wavell Papers. H.M. The King, p. 138

PRIVATE AND PERSONAL

22 October 1946

[Unnumbered.] Following from King:—

"I send my sincere congratulations on the results achieved by your patience and devoted work. I know well what difficulties you have had to contend with and deeply appreciate the way in which you have faced them. George R. I. *End of message.*" Lascelles.¹

¹ Lord Wavell's reply, dated 23 October, read. 'Please present my humble duty to His Majesty and say I am deeply grateful for his gracious message of congratulations. I am still experiencing difficulties over distribution of portfolios but will try to overcome them.' Wavell Papers, H.M. The King, p. 138.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/PO/10/23

PRIVATE AND SECRET

THE VICEROY'S HOUSE, NEW DELHI,

22 October 1946

Thank you for your letter of the 11th October.¹ I have made enquiries about the missing bag and understand that it reached you on the 11th October having been posted on the 2nd. Something must have gone badly wrong with the Service.

2. Before this reaches you I expect you will have heard how the negotiations for the redistribution of the portfolios have gone, I expect there may be difficulties. The Congress have already stated their maximum claim,² and indicated that they think neither their own leading members (Nehru and Patel) nor Baldev Singh, Matthai or Bhabha should be disturbed. This would leave the Muslim League without any of the most important portfolios and I have told Nehru³ that the League must have either External Affairs or Home or Defence, and also one of the two portfolios Commerce and Industries and Supplies. They will not like it. They believe that there is no genuine intention on the part of the League to make the Coalition work. I shall of course do my best to falsify this prediction and to induce the League to cooperate properly.

² No. 463.

³ No. 489.

A lot will depend on our getting a good start, and I must admit that the conditions for a good start do not appear to be present. But I will do what I can. I am grateful for the telegrams of congratulations from yourself⁴ and the Prime Minister,⁵ and will read the message⁶ from His Majesty's Government at the first meeting.

3. Jinnah has made it quite clear to me that he accepts the necessity of calling his Council to reconsider the Bombay decision, and I shall have to insist on his doing so early because there is not much time left before the Constituent Assembly is due to meet. But he will try to get assurances first, and we may get involved in all the old controversies again.

4. The events in Eastern Bengal could not have been more unfortunate. We were immediately up against the usual Bengal difficulty that reliable information could not be quickly obtained owing to the lack of a proper administrative network and to the very bad communications. I see no prospect of securing a return of confidence in Eastern Bengal for a very long time, and I doubt whether many Hindus will be prepared to remain in their homes there. If this is correct, the refugee problem will be a considerable one. I shall of course try to get Nehru and Liaquat Ali or Jinnah to make a joint statement as soon as the Cabinet is re-formed, but even if they do this I imagine that the ordinary Hindu family in Eastern Bengal surrounded by Muslims will be tempted to move into Hindu territory.

5. Nehru by insisting on going to the North-West Frontier and visiting the Tribal areas has presented the Muslim League with an opportunity for effective publicity. Nehru went against the advice of the more sensible members of the Congress High Command, I am informed. The tour was also undertaken against the advice of Caroe and myself, and it has been a fiasco from the Congress point of view. The only scapegoat that the Congress could lay hands on was the Political Department, and the charges that they organised the demonstrations are so manifestly ridiculous that even among the prejudiced they are not likely to have any appreciable effect. They will however have some effect on the Department, and I expect to have some strong protests. Nehru has no one to replace the Political Officers at present, and though he has not himself accused them he has practically acquiesced in the accusations made by Abdul Ghaffar Khan and the Frontier Minister Mehr Chand Khanna. It remains to be seen whether the result of the visit will be a lasting ferment or not, but I fear that may be the outcome.

6. It has been good of Colville to stand by at short notice to take my place in the event of my having to go to London for consultation. Though the prospect has receded a little I certainly would not say that there is now no chance of his being needed.

7. I had an interesting time in Bombay. I saw all the Ministers, only two of them really count, Kher the Premier and Desai the Home Minister. The former I have met several times and like, he is sensible and moderate and has a sense of humour. Desai I had not met before, he struck me as able but rather dangerous, as he is intensely communal, and rather models himself on Vallabhbhai Patel. To my surprise the ordinary population both Hindus and Muslims went so far as to applaud quite heartily when I visited the disturbed areas. I have never seen this before.

I agree with Colville's view, on the assumptions he postulates, that the administration could carry on in Bombay for quite a time, provided that the Congress ministry were allowed to have their own way; and the Bombay tradition seems to be that they are given considerable latitude, and have run a reasonably efficient show. The fact remains however that they might be ordered out by the High Command and that they might either of their own wish or under directions adopt a policy which would make a conflict inevitable. In that case I doubt whether a Section 93 régime could be run successfully, and that is the test by which to judge whether or not His Majesty's Government can in the last resort exercise control.

8. I have asked Mudie to comply with your request that he should include in his fortnightly reports a paragraph about the conduct of the elections.

[Para. 9, on the possibility of an appointment for Sir H. Braund, omitted.]

10. The Interim Government decided at the last meeting of the Cabinet to abolish the Salt Tax. It is clear enough from the investigations that have been made that there is a good deal to be said for this course of action and for rationalising the salt industry. But the tax has never been a really oppressive one, and the decision, under Gandhi's pressure, has been rather precipitate, so that the administrative arrangements for the control of distribution and price control will I suspect be very unsatisfactory at first. The decision also involves us in a loss of Rs. 9 crores per year and in the first year about Rs. 12 crores.

11. You will be glad to hear that on the advice of my colleagues I have again nominated the veteran Labour Leader, N. M. Joshi, to the Legislative Assembly. This gives us four Labour representatives against three at present.

12. I understand that Auchinleck is sending home privately to Mayne some material for estimating the amount of compensation that should be paid to British Officers of the Indian Army when their services are dispensed with. Presumably the principles on which the compensation is worked out will be the same as for the I.C.S. and the Indian Police, and I think that you should take the initiative in making proposals as soon as possible to the Government of India.

⁴ See No. 477, note 2.

⁵ No. 484.

⁶ No. 485.

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Field Marshal Viscount Wavell to Sir A. Lascelles

Wavell Papers. H.M. The King, pp. 129-37

THE VICEROY'S HOUSE, NEW DELHI, 22 October 1946

My dear Lascelles,

I send herewith a letter to the King, describing the political events of the last three months. I also send a short letter¹ to the Queen, about her Regiment, The Black Watch.

I am afraid that the political outlook is still most unpromising in spite of the decision of the Muslim League to enter the Interim Government. It seems impossible to get any sense of urgency into these people; four to five weeks were spent on questions which could have been decided by any sensible men in a few days. The result has been that the final decision was taken just at a moment when Nehru was departing on a very ill-judged visit to the Frontier; and the Eastern Bengal trouble has resulted in a further inflammation of the already high tension between the two parties. I am going to have a very difficult time in settling portfolios, in persuading the Muslim League to come into the Constituent Assembly without further argument, and in holding the Interim Government together. And the Legislative Assembly meets [in] a few days, with the portfolios not yet settled; and a Constituent Assembly in about six weeks, with neither the League or the Sikhs yet in. It is all very wearying and depressing.

I was very interested in your letter of August the 4th and what you said about history.² Rowse sent me a copy of his book,³ and I have had some argument with him on one or two points in it. Firstly, I regretted that he had dismissed Military History in a few sentences, which he admitted. Secondly, I thought he was wrong from an historical point of view to attribute our lack of realism and courage during the period between the two wars almost entirely to the leadership of Baldwin and Chamberlain. I believe that from the historical point of view it was the character of the nation which was to blame, our tendency to sloth and indulgence when there is no apparent danger to bring out our true qualities. I do not believe that any leaders would have induced the British nation to accept conscription, for instance, between 1933 and Munich; if the leaders had attempted to do so, the nation would have found other leaders. Do you agree with this?

I agree with what you say about Rhodes.⁴ In my Life of Allenby,⁵ I was rash enough to attempt an epigrammatic description of him and called him "The princely money-grubber, the unscrupulous dreamer, the tolerant imperialist, the backwoods apostle of education". I never saw him, but I once met Jameson

not long after the Raid, when I was a schoolboy, and thought him a most attractive personality. I found a curious sidelight on Rhodes one evening when I dined with Smuts at Groote Schuur, in 1940. We were sitting after dinner in a room which had been Rhodes's study, I think, and I noticed rows and rows of volumes bound in red leather round the walls. I asked Smuts what they were: "The folly of a great man", he replied. He told me that Rhodes had once started to read Gibbon; and had expressed a wish to have translations of all the obscure latin authorities quoted in Gibbon's foot-notes. He had therefore had a contract made with some Oxford Dons to translate these, and the volumes were the result. Rhodes had probably never looked at them; on his death his Executors found that the contract would still keep the dons busy for a considerable number of years and would cost the estate a large sum; so they paid compensation to cancel the contract.

The negotiations with Egypt and Palestine seem to be as difficult as those out here. I must say I have never understood how we hoped to get away with the assertion that it would take three years to remove our troops from Egypt. I think the Americans removed something like 200,000 men, and disposed of huge quantities of stores, in this country and Burma, in a matter of a few months.

I hope that the King had a good holiday at Balmoral and is refreshed by it. I hope that the Queen's accident has left no ill-effects.

I dream of a holiday next year, but wonder whether I shall be able to take it.

Yours sincerely,

Enclosure to No. 493

Field Marshal Viscount Wavell to H.M. King George VI

THE VICEROY'S HOUSE, NEW DELHI, 22 October 1946

Your Majesty,

The three months that have passed since I last wrote⁶ to Your Majesty have simply been an extension of the interminable process of trying to induce the Congress and the Muslim League to co-operate. It is an exasperating business

¹ Not printed.

² Wavell Papers, H.M. The King, pp. 126-9. Sir A. Lascelles had enlarged on the theme of 'going against the sense of history'. He wrote that: 'contemporary opinion, even that of admittedly sagacious people, is nearly always at fault over the really big structural changes. The din of current events is too strident to let them feel the sense of history.'

³ A. L. Rowse, *The Use of History* (Hodder & Stoughton, London, 1946).

⁴ Sir A. Lascelles felt 'Cecil Rhodes was a very great man; anyhow, he seems to have had two of the indisputable marks of great men that every now and then he made gigantic blunders (Joe Chamberlain's phrase about him) which one would think a child could have avoided: and that 90% of his actions were inspired by a desire to benefit humanity rather than himself. . . . In the large cat-house of Ideals, he did have the knack, all through life, of getting the right cat by the tail.'

⁵ *Allenby: a Study in Greatness* (London, 1946).

⁶ Appendix to Vol. VII.

and reminds me of one of my childhood's puzzles—a little glass-covered box with 3 or 4 different coloured marbles which one had to manipulate into their respective pens by very gentle oscillation; just as the last one seemed on the point of moving in, some or all of the others invariably ran out.

At the moment of writing I have at last succeeded in forming a Coalition Government in which both the Congress and the Muslim League are represented; whether I can succeed in keeping it together and making it work as a team remains to be seen. There are many difficulties ahead.

I give below a summary of the negotiations which have led to this Government, though I am afraid that the account will be neither interesting nor edifying.

2. During the pause after the departure of the Cabinet Mission, Jinnah was loud in his denunciation of bad faith on the part of the Mission and myself. The Muslim League, however, took part in the elections to the Constituent Assembly, which produced quite a reasonable body of legislators; but the Sikhs, who also expressed their grievances very loudly, withdrew at the last moment from participation in the Elections. They seem now willing to reconsider their attitude and to elect representatives.

The Congress held a meeting of their Council at Bombay early in July, which endorsed the Working Committee's action in accepting the Mission's plan with reservations. The resolutions passed were on the whole moderate; and the new Working Committee, with Nehru instead of Azad as President, was not greatly different from the previous one.

Nehru however, immediately signalized his election by a most unwise and provocative Press conference,⁷ which gave Jinnah and the Muslim League every reason to conclude that the Congress had no intention at all of carrying out the plan laid down in the Cabinet Mission's statement of May 16th, and would put their own interpretation on any provisions of it which they did not like. It is one of Nehru's failings that when he gets in front of any assembly he is quite unable to restrain himself from making wild and unconsidered statements, which often embarrass both his party and himself.

Jinnah retaliated by calling a meeting of the Muslim League Council at the end of July, which withdrew from acceptance of the Mission's statement and passed a resolution in favour of "direct action", i.e., rebellion.⁸

Thus within a few weeks of the Mission leaving India the foundations of its plan seemed to have been wrecked. They were indeed never stable, since the Congress acceptance was not to my mind a genuine one. The Constituent Assembly has always been a secondary objective with them, their primary aim is complete and undivided control at the Centre. This has been at the root of Jinnah's suspicions and resentment.

3. In the meantime I had resumed negotiations for the formation of an

Interim Government. Much of the trouble in the time of the Mission had been due to the publicity which every move received in the Press; so I wrote privately to Nehru and Jinnah,⁹ suggesting that my approach should be kept entirely secret until we had reached some basis of agreement. I proposed to start on the general lines of the June 16th Statement, which had been so near success.

The first reactions were inauspicious. Nehru began by claiming that any new Government formed should be entirely independent, with myself as a figure-head; and should be responsible only to the Assembly, which has of course a large Congress majority.¹⁰ I told him quite firmly that I could not even discuss any modification of the terms agreed with the Mission.¹¹ Jinnah's reply¹² was merely a recapitulation of his grievances about the previous negotiations; and by the time he replied he had held his Council meeting and withdrawn from his acceptance of the Mission's statement, and so put himself out of court.

We had again reached an impasse, in which all the balls of the puzzle were out of their pens.

4. In the circumstances I had to try a new line of approach; and I wrote to Nehru early in August¹³ asking him to form a Government on the basis already proposed, i.e., 6 Congress (including one Scheduled Caste representative), 5 Muslim League, and 3 representatives of Minorities. I asked him to approach Jinnah about filling the places allotted to the Muslim League.

I realised fully the dangers of putting the Congress into office; but I could not carry on indefinitely with an official Caretaker Government; and there seemed no other way of making progress. I was determined, however, to secure a Coalition as soon as possible.

Nehru accepted my proposal,¹⁴ and duly approached Jinnah,¹⁵ but I suspect with no real intention of trying to persuade him to come in, except on terms which he knew would be unacceptable; and Jinnah refused his offer. The list of names finally submitted to me by Nehru included three Muslims only. I failed to persuade him to leave all five Muslim places vacant in the hope that the League might come in speedily, but I absolutely refused to submit to Your Majesty one Muslim name he proposed, that of Fazlul Huq, ex-Premier of Bengal, an extremely corrupt and dishonest politician. It shows the instability of Indian politics, that Fazlul Huq promptly went over to the Muslim League; while one of Nehru's Muslim nominees, Sir Shafaat Ahmed, only left the League because he considered his claims neglected by Jinnah.

5. My new Executive Council, or Cabinet as they prefer to call themselves, was sworn in at the beginning of September. The first Indian political Government consisted of twelve members. The following is a brief sketch of their personalities.

⁷ No. 16.

⁸ See No. 86.

⁹ No. 63.

¹⁰ See No. 71.

¹¹ See No. 91.

¹² No. 97.

¹³ See No. 118.

¹⁴ No. 138.

¹⁵ See No. 153.

Of Nehru, who holds the portfolio of External Affairs and Commonwealth Relations, and tries to adopt the role of Premier as far as possible, I have written before. He is cultured, highly strung, usually likeable, but quite unstable and not a strong character.

Of Patel, the Home Member, I have also written. He sets himself up as the strong man of Congress. He is frankly communal and believes that the Muslim League should be fought and suppressed. He has, however, a certain sense of humour, and we respect one another. He is mostly silent in Cabinet, and prefers to work off stage.

Rajendra Prasad, the Food Member, has a pleasant quiet manner, is an attractive character and seems sensible and capable. He suffers from asthma.

Asaf Ali, a Muslim lawyer from Delhi, is Member for Transport. He is a little rat-faced man, not very attractive, but I think he has some capacity. His wife is one of the firebrands of the Congress left wing, but I gather that they do not often meet.

Rajagopalachari, ex-Premier of Madras, is Minister for Industries and Supplies. He is a Brahmin intellectual, subtle and highly educated, with a legal training, but a rather larger share of independence of ideas and force of character than most Hindus of his type. I think that some of his colleagues mistrust his independence of attitude. I respect his ability, but do not altogether trust him.

Dr. John Matthai, an Indian Christian from Travancore, who has been long in government service but retired in 1940 to take up an appointment with Tatas, is Finance Member. He seems to me, so far as I have seen him at present, the ablest, most straightforward and pleasantest of my new colleagues. He may perhaps be found lacking in that very necessary attribute of a good Finance Member, the power to resist extravagant demands on the Public Purse by his colleagues.

Sir Shafaat Ahmed, Education and Health, is in my opinion a lightweight, if not indeed a featherweight. As High Commissioner in South Africa he was unstable, tactless and tiresome. Since he came back he has been angling for a position in the Muslim League; and being dissatisfied, accepted the Congress offer of a place in the Government. Towards myself he adopts an almost servile attitude in interviews; and exudes the cheap butter of insincere compliments.

Jagjivan Ram, a Scheduled Caste from Bihar, the Labour Member, is not much to look at, but has impressed me considerably by his good sense. I find him better balanced than his more highly educated predecessor, Dr. Ambedkar, who was always inclined to be tangential.

Sarat Chandra Bose, a brother of the more famous (or infamous) Subhas Chandra Bose, is Member for Works, Mines and Power. He is a smooth, unctuous, bespectacled Bengali, who has some ability I think. He is polite and easy to talk with, but I find it difficult to forget that he was undoubtedly in touch with the Japanese at the beginning of the war.

Baldev Singh, Defence Member, has more brains and good sense than any other Sikh I have met, and so far as I know he is honest. He is a rich industrialist. The Commander-in-Chief likes him and is getting on well with him.

Ali Zaheer, a lawyer from Allahabad, is Law Member and also holds the portfolio of Communications (Posts and Air). He is quiet and pleasant and seems sensible, though his legal advice on Mercy Petition cases sometimes rather startles me.

Bhabha, the Parsi, is Commerce Member, young and a little sheepish (or perhaps it is his name that makes me regard him as such). He was a surprise recommendation by Nehru, but the Governor of Bombay reported him as suitable, so I agreed to accept him. Jinnah has since alleged that his appointment was a pure ramp of Patel's whose son works for Bhabha. From the little I have seen of him, he seems colourless but reasonably competent.

Of the above, Sarat Chandra Bose, Ali Zaheer, and Sir Shafaat Ahmed, withdraw to make room for the Muslim League nominees. And there will be some re-shuffle of portfolios.

6 Our Cabinet meetings have so far passed off smoothly and in a friendly atmosphere. Nehru holds daily meetings of Ministers which he chooses to regard as the real Cabinet meetings; and everything that comes up to the official Cabinet meetings has already been discussed by the Members, and their line of action decided. But there has so far been no attempt to treat my Cabinet meetings as purely formal, there is often quite lively discussion at them, and the decisions taken have been sensible. The two most talkative Members are Rajagopalachari and Asaf Ali.

7 Outside the Cabinet also, the Ministers have been concerned to impress me with their moderation. But Nehru periodically goes off the deep end and writes me a rather intemperate letter, usually to accuse myself or one of my Governors of partiality towards the Muslim League in the Muslim Provinces or of refusal to submit to unconstitutional demands on the part of the Ministries in the Congress Provinces. He has also put forward some rather wild proposals in the field of Foreign Affairs. He and the Congress are in fact continuously at work to undermine my position and try to restrict my powers by every insidious means that their subtle legalistic minds can contrive. I have to try and keep a straight bat to an almost daily succession of googlies or fast ones. But it has so far been quite friendly, and I like Nehru as a man, though I distrust his political aims and his judgment.

8. The new Government was sworn in under the shadow of the most savage and destructive communal disturbances that have taken place in India for very many years. The riots in Calcutta began on August 16, which had been chosen by the Muslim League to be observed as "Direct Action Day", and had been

declared a public holiday by the Bengal Government. The actual responsibility for beginning the disturbances is under enquiry by a high-power Judicial Commission, presided over by the Chief Justice. But there is little doubt that the turbulent element ("goondas") on both sides were prepared for trouble and looking for it; that unwise speeches (to say the least) were made by Muslim leaders—including Suhrawardy the Bengal Premier and as Home Minister directly responsible for law and order—at a big Muslim meeting on the 16th, and that the Police were slow to take the firm action required at the outset of the disturbances.

The killings and looting, which lasted four days, resulted in something like 4,000 killed and 15,000 injured, with many more rendered homeless and great destruction of property. Order was only restored by the use of British troops, who were well directed and controlled and did excellent work. One battalion of Gurkhas and one Indian battalion were also used, but outside the worst areas; and another Gurkha battalion and another Indian battalion were available at the end.

Practically the whole of the casualties and direct suffering fell on the poor, but the failure in confidence has also meant heavy losses to the business interests. I visited Calcutta about a week after the disturbances and saw something of the damage done and some of the many refugees and injured. Everyone who saw anything of the riots agrees as to the savagery and wanton cruelty of the killings.

Just as the Ministry took office, rioting broke out in Bombay and resulted in several hundred deaths. In fact throughout the whole country the communal tension is more acute than ever before. I have just come back from a short visit to Bombay, where daily stabbings continue and no Muslim ventures into a Hindu area without escort and *vice versa*.

Soon after my return from Calcutta, I sent for Gandhi and Nehru,¹⁶ described to them my impressions of the disturbances and emphasised the dangers ahead, and said that I was sure that the only way of averting more widespread rioting and bloodshed was by forming a coalition Government at the Centre and afterwards in the Provinces. This was not well received, it was quite obvious that both these leaders would prefer a conflict with the League and the Muslims rather than to share power with them. Gandhi actually said that if India must have a blood bath she had better have it now; I said that was a shocking remark from one who professed non-violence. I insisted on reopening negotiations with Jinnah, and early in September I invited him to come to Delhi. The succeeding negotiations for an Interim Government, which I had hoped might take a week, have taken very nearly five weeks to produce any result.

9. I found Jinnah much more tractable than before and easier in discussion. At his best he is quite an attractive personality, at his worst, he is almost insufferable (His Exalted Highness the Nizam after an interview with him

indignantly described his manners as "almost indecent"). But he was in a leisurely mood and I failed to induce any urgency into the negotiations.

About a fortnight ago, when Jinnah had already been in Delhi for some weeks, I hoped that I had brought him to the point of acceptance. But at this stage His Highness of Bhopal intervened. Whether his action was prompted by his own ambition, or was suggested by Gandhi himself, I am not sure; I certainly did not encourage it, although he had conveyed strong hints to me that he was prepared to act as mediator; and Jinnah has told me that he did not initiate the move.

Though I distrust Bhopal and his tortuous ways, I did not interfere, and kept out of it all when I heard that he had persuaded Nehru and Jinnah to meet. Obviously if the two principals could reach agreement by themselves without my intervention, it would be much better. But after about a week of comings and goings, and formulas and amendments, and points and counterpoints, it was obvious that negotiations had broken down; and that Bhopal was no more skilful at rolling the marbles into their pens than I was.

I therefore took up the talks again, and after another week or so of discussion have at last succeeded in announcing a Coalition Cabinet.

10. Though this represents a definite step forward, it is not the Cabinet I would have chosen, nor will it take up office under good auspices. Jinnah has not come in himself. He says he must remain outside to organise his Party; actually I think he has been swayed by the motive of personal prestige, since he fears to be considered as a subordinate of Nehru's if inside the Cabinet. Two of his names have been chosen from party considerations rather than on merit alone, and he has included a non-Muslim, a Scheduled Caste representative. The Scheduled Castes are certainly entitled by their numbers to increased representation, and I believe that the member selected is capable and honest; but the nomination is frankly intended by the League as a tit for the Congress tat of a nationalist Muslim, and is thus provocative.

We have not yet settled the difficult question of portfolios, since Nehru has departed on an ill-advised trip to the North-West Frontier—a move typical of his lack of balance and judgment, which may have unfortunate consequences. And the announcement of the new Government has coincided with a serious outbreak of communal disturbances in Eastern Bengal, which is still further exacerbating the bitterness between the Parties.

I am afraid also that the announcement has brought no sign of a truce in Press polemics on either side. Nor will the publication of the correspondence between Nehru and Jinnah during the Bhopal period improve communal harmony, or enhance their reputations for statesmanship. It is one of the unfortunate features of political negotiation in this country that an exchange of

¹⁶ See No. 205.

letters is always insisted on after a discussion, that publication of these letters inevitably takes place sooner or later, and that the letters are in consequence always written with an eye to their being read by the extremists on either side.

Altogether the omens are not favourable. But the only possible chance for India has always been to my mind to get the two main parties round a table and working together on the problems of administration, and this I now hope to achieve. But I am frankly sceptical about their finding the necessary good-will and spirit of compromise to hold them together.

The Constituent Assembly is due to meet early in December. The Muslim League has still, however, to reverse its decision to withdraw, taken three months ago. And it will be a surprise if the Assembly remains in being long enough to frame an agreed Constitution.

11. I am afraid that I have little else for Your Majesty beyond this dreary record of political ineptitude. I have hardly left Delhi for the last three months.

As regards the food situation, a large part of India continues to live from hand to mouth, with practically nothing in the hand. But we hope just to tide over the critical period till the end of the year without serious famine; and the monsoon has been good, so that we may hope for better crops in 1947.

My present Cabinet has taken up the position that no Indian should accept Honours on the recommendation of a British Government; and the Muslim League adopted a resolution at Bombay last July that all members of the Muslim League should renounce Honours. I am still in consultation over the New Year's List, but the whole question will have to be referred to Your Majesty at an early date.

I will conclude with an episode rather typical of this illogical country. The Ministers of Bihar—possibly the most anti-British Ministry of all—recently decided that a mere flag on their cars did not give them sufficient distinction, so added large identification plates bearing the Royal Coat of Arms.

In the same Province an article in a nationalist paper headed "Bihar needs more educated men" ended with the conclusion that University examinations should be made so simple that all could pass them. Such is the logic of Indian nationalism.

I have the honour to be,
Sir,

Your Majesty's humble and devoted servant,

WAVELL

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Pandit Nehru to Field Marshal Viscount Wavell

R/3/1/119A: ff 2-4

17 YORK ROAD, NEW DELHI, 23 October 1946

Dear Lord Wavell,

I have placed your letter of the 22nd October,¹ in which you discussed the allotment of portfolios, before some of my colleagues. I have also given them some account of our conversation yesterday.² We feel strongly that, in existing circumstances, it would be improper to make any change in regard to the three portfolios you mention, namely External Affairs, Home, and Defence. I need not go into the reasons for this as I have already mentioned them to you. In regard to the portfolio of Commerce a change may be possible. There are also, as you know, five other portfolios which are at present available. These are:

Education
Health
Posts, Telegraphs and Air Services
Works, Mines and Power
Legislative.

2. Before, however, the question of portfolios arises, there are two or three other questions which have to be cleared up, more especially because of some recent happenings. We have been eager for the Muslim League to come in because of our earnest desire to put an end to communal friction and promote harmonious working. But this very fact has been obscured and rendered vague and doubtful by these recent occurrences. You know how arguments and difficulties have arisen in the past over any matter left vague. It would be exceedingly unfortunate if we did not clarify the position completely before starting this new experiment. To have friction and dispute after the Muslim League comes into the Government would be a bad beginning and may lead to consequences which none of us desire.

3. In my correspondence with you and in your letters addressed to me as well as to Mr. Jinnah it was made clear that the Muslim League's joining the Interim Government meant inevitably their acceptance of the long-term scheme of the Cabinet Delegation contained in the Statement of May 16th. I need not trouble you with references to this in various letters. It was pointed out then that a formal decision of the Muslim League to this effect would have to be taken by the Council of the League as they had originally passed the resolution

¹ No. 489.

² See No. 490.

of non-acceptance. Nevertheless, it was made clear that the Working Committee of the League would itself recommend the acceptance of this scheme and the formality could follow soon after. It was on this basis that we proceeded.

4. Now it is by no means clear what the position of the Muslim League is in regard to the long-term arrangement. We do not even know the terms of the resolution passed by the League Working Committee, nor, so far as we know, has the Council of the Muslim League been convened to consider this question. When I asked you about this yesterday, I was told that Mr. Jinnah wanted certain assurances. This obviously means that even Mr. Jinnah and his Working Committee have not agreed to accept the Statement of May 16th unless something further happens i.e., certain further assurances are made to him. This puts us in a very false position and leads one to think that the steps already taken have been premature. If there is any question of assurances, it is for the Muslim League to assure you and us that they will endeavour to work in the Interim Government in a harmonious manner as a team with the rest of the members of the Cabinet. Instead of this we are asked to furnish the assurances. This again might lead to further arguments and discussions without end. We are not prepared to discuss this matter any further. We have made our position perfectly clear in formal resolutions of the Congress Working Committee. So far as the Muslim League is concerned, the only resolution we have at present is that of their Council rejecting the long-term scheme. Apart from this there is only vague talk which can mean anything or nothing.

5. Our misgivings are increased by recent speeches made by two of the proposed members of the Interim Government, Raja Ghazanfar Ali Khan³ and Mr. Liaquat Ali Khan,⁴ which clearly point to a course of action on behalf of the League which is in direct opposition to cooperative and harmonious working of the Interim Government. Difficulties might arise even if we work with the best of intentions. But here even the intentions are proclaimed to be to create friction and trouble. Unless this matter is cleared up in an unequivocal manner, any attempt to work together would be doomed to failure.

6. We suggest, therefore, that these two points should be cleared up:—

(1) the Muslim League's acceptance of the long-term scheme as embodied in the Statement of May 16th subject only to a formal ratification by the Council of the League at an early date which should be fixed.

(2) the approach of the League to the Interim Government and in particular whether Raja Ghazanfar Ali Khan's and Mr. Liaquat Ali Khan's speeches recently delivered represent that approach or not.

7. If this clarification is satisfactory, the next step to be taken is the allotment

of portfolios. This second step cannot precede the first for it is dependent upon it and governed by it.

8. From past experience you will appreciate how this clarification and precision are necessary in order to avoid future trouble. This is all the more necessary because the Muslim League are not joining the Interim Government after an agreement with the Congress. Even as it is we welcome their coming in, but that coming in would have little value and in fact might even be harmful to all concerned if it was really a prelude to inner as well as outer conflicts.

9. You know how deeply all of us have been moved and distressed by the tragic happenings in East Bengal. On my return here today I have been overwhelmed by painful messages from East Bengal. I cannot verify all the statements made and it is quite possible that there is a good deal of exaggeration, but allowing for all exaggeration what remains is still a horrible thing of vast dimensions. The whole of India has been painfully moved. We are receiving messages from Assam of thousands of refugees from Noakhali District pouring in daily. This is the background to any action that we might take and my recent experiences in the Frontier Province and the Tribal Areas have not produced any feeling of assurance in me about the future conduct of the Muslim League. We cannot take any step unless we make sure that it will lead to an improvement of the situation. The very least that we can expect is a clear statement from the Muslim League of their intention in joining the Interim Government and their acceptance of the long-term plan.

10. The allotment of portfolios will then follow. In regard to this I have stated above that we cannot accept any change in regard to External Affairs, Home, or Defence. This is not because they are more important than other portfolios, for there are some others which are in many ways more important still. But for particular reasons which I have pointed out to you it is highly undesirable to effect any change in regard to these three portfolios.

Yours sincerely,

JAWAHARLAL NEHRU

¹ cf. Enclosure to No. 483.

⁴ Mr Liaqat Ali Khan, speaking in Karachi on 20 October 1946, is reported to have said that the League took its decision to enter the Interim Government because 'Congress in its heart was adverse to the League's entry'. He added that joining the Interim Government was in no way inconsistent with the League's Bombay resolution on direct action (No. 86) and that Muslims must not relent, even to the smallest extent, their preparations for the final struggle, because this ultimate fight was inevitable for the winning of their goal—Pakistan *Hindustan Times*, 21 October 1946, R/3/1/118 f 214.

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*Field Marshal Viscount Wavell to Pandit Nehru**R/3/1/119A: ff 5-6*

23 October 1946

Dear Pandit Nehru,

I have received your letter of 23rd October.¹

2. As I informed you this morning² I consider that the Muslim League are entitled to one of the three following portfolios:—

External Affairs,
Home,
Defence.

I would be grateful if you would let me know which of these portfolios you advise should be given to the Muslim League. I realise the difficulties involved in making a decision, and shall be sorry myself to see a change in any of the three portfolios, but one cannot re-form the Cabinet without some dislocation. I hope you will be able to let me know today what you recommend, so that the new portfolios may be announced to-morrow. I am glad to know that a change in the Commerce portfolio is possible.

3. I have made it clear to Mr. Jinnah, whom I have seen today, that the Muslim League's entry into the Interim Government is conditional on the acceptance of the scheme of the Cabinet Delegation contained in the Statement of May 16th, and explained in the Statement of May 25th, and that he must call his Council at an early date to agree to this.

4. As I told you, Mr. Jinnah has assured me that the Muslim League will come into the Interim Government and the Constituent Assembly with the intention of cooperating. He regrets and condemns as deeply as you do the recent disturbances in Eastern Bengal.

Yours sincerely,

WAVELL

¹ No. 494.

² There is no record of this interview, or the one with Mr Jinnah mentioned in para. 3, on R/3/1/119A or in Wavell Papers. For short accounts of the interviews see No. 506 and *Wavell: The Viceroy's Journal*, p. 362.

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*Pandit Nehru to Field Marshal Viscount Wavell**R/3/1/119A: ff 9-13*

17 YORK ROAD, NEW DELHI, 23 October 1946

Dear Lord Wavell,

Thank you for your letter of the 23rd October.¹ This was delivered to me this evening. You suggested that I should send you a reply today. I am sorry I have not been able to do so in the short time at my disposal. The matter is a serious one and I did not wish to send you a reply before consulting my colleagues again. I am writing this letter late at night and it will be delivered to you tomorrow morning.

2. The immediate question before us is one of the allocation of portfolios. But we have inevitably to consider it in connection with other matters and in the context of recent events and present happenings. Hence in my letter to you of today's date² I drew your attention to some of these governing factors.

3. I am glad that Mr. Jinnah has assured you that the Muslim League is coming into the Interim Government and the Constituent Assembly with the intention of cooperating, further that you have made it clear to Mr. Jinnah that the Muslim League's entry into the Interim Government is conditional on the acceptance of the scheme of the Cabinet Delegation contained in the Statement of May 16th. While you have made this clear to Mr. Jinnah, it is not equally clear what the Muslim League's view is on this subject. You will remember that in the case of the Sikhs you asked for a definite resolution of acceptance of the scheme contained in the Statement of May 16th. A previous vague resolution on the subject passed by the Panthic Board of the Sikhs was not considered sufficient.³

4. There is one matter which I should like to clarify to avoid any possible misunderstanding. You have referred not only to the Statement of May 16th but also the explanation given by the Cabinet Delegation in their statement of May 25th. It is open to Mr. Jinnah or to any one else to accept that explanation and interpretation. So far as we are concerned we have made our position perfectly clear in this respect on many occasions both to the Cabinet Delegation and subsequently. The Delegation's interpretation was not our interpretation of the Statement of May 16th. A subsequent explanation cannot alter or enlarge a previous formal Statement. We made it clear, however, that we would abide by the decision of the Federal Court in all such matters of interpretation. It was

² No. 494.¹ See No. 157, note 3.

on this basis that we came into the Interim Government and were accepted as such. This position of ours remains unchanged.

5. I have drawn your attention previously to the misgivings caused, not only in our minds but also in the minds of large numbers of people all over India, by the recent speeches of Raja Ghazanfar Ali Khan and Mr. Liaquat Ali Khan which, so far as I know, have not been withdrawn or amended in any way. Both of these gentlemen are going to be our colleagues in the Interim Government and Mr. Liaquat Ali Khan is a recognized leader of the Muslim League. Their speeches delivered at such a moment cannot but have serious repercussions. Made on the eve of their entry into the Interim Government and at a time when horrible things have been happening over large areas of East Bengal, they have a peculiar significance. My own experiences during my Frontier tour, which took place after the announcement of the entry of the Muslim League into the Interim Government, made me feel that there was no change in the approach of the Muslim League and that the old attitude persisted.

6. Raja Ghazanfar Ali Khan, in a statement issued from Lahore on October 19th, stated that East Bengal happenings are part of the all-India battle for Pakistan. What has happened and is happening in East Bengal is yet not fully known. But I doubt very much if the reports sent by the Governor or the statement made in the British Parliament⁴ have much relation to facts. I have just read a report prepared by Mr. K. C. Neogy who is a competent observer and is himself a resident of East Bengal. In this report he says that "the lawlessness has been given the colour of pure goondaism, but it is not so. It is an organized attack engineered by the Muslim League and carried out with the active connivance of the administrative officials". He further points out that attacks have been made in military formation by people armed with guns and other deadly weapons. Roads have been dug up and other means of communication cut off to prevent ingress and egress. Canals have been blocked and strategic points are being guarded by armed insurgents. A *Statesman* report about the island of Sandwip says that a section of it (the frenzied crowd) has been left behind to guard the "occupied" areas in Noakhali District and to terrorise the "subjects" by further acts of lawlessness in the event of defiance of this authority on the part of the people.

7. In view of the fact that many of the administrative officials are themselves involved in this lawlessness, it is not surprising that their reports should minimise the disturbances and give false accounts.

8. It may interest you to know that over a month ago I requested Mr. K. C. Neogy to become a delegate in our UNO Delegation to America. He accepted it, but soon after he expressed his inability to go. The reason he gave me was

that conditions in East Bengal were fast deteriorating and that a general attack on behalf of the Muslim League was expected in the near future. Mr. Neogy did not wish to leave his family in East Bengal when everybody there seemed to be expecting this mass attack. Numerous warnings of this came to all of us and, no doubt, the Government of Bengal must have known about it. Yet nothing was done to prevent it.

9. I understand that the situation in Calcutta is rapidly deteriorating. On the 25th of October a grand rally of the Muslim League national guards is going to be held in Calcutta. These guards are especially meant for the so-called direct action. To hold such a rally or conference of these guards at this juncture in Calcutta is distinctly odd. It has led to a great deal of apprehension in the minds of the population of the city and the possibility of another large-scale and organized attack in various parts of the city is feared.

10. It is with this background of past and present happenings and apprehensions for the future that we have to view any step that we might take today. Indeed every other step should be subordinated to the urgent need of putting an end to the horror in East Bengal. People there look helplessly towards the Interim Government expecting us to do something to relieve them. What we can do I do not know, for we are told by you that this is your special responsibility. The Army has gone there and will, no doubt, do good work. How far it can function properly, if it is hampered by local civil authority, I do not know. Again and again Bengal witnesses unparalleled horrors, and yet the same administrative machine and special responsibilities continue to function. How can people have any faith in something that has failed them so often before and in which they have lost confidence completely?

11. In these circumstances, when so many people hope for some effective relief from the Central Government, any handing over of the portfolios of Defence and Home to representatives of the Muslim League would give rise to very serious misgivings. There may or may not be justification for this, but the fact that there is this strongly-felt sentiment is patent, and we cannot ignore it. In all such matters, when fear seizes hold of large numbers of people and frightfulness reigns over wide areas, the psychological element is important. Hence we feel that it would be an entirely wrong step, leading to most unfortunate consequences, if any change was made in the portfolios of Defence and Home.

12. In regard to the portfolio of External Affairs, some similar considerations arise, especially after my recent visit to the Tribal Areas and my experiences

⁴ See Mr Henderson's reply on 21 October 1946 to a private notice Question by Mr Godfrey Nicholson. *Parl. Debs.*, 5th ser., H. of C., vol. 427, cols. 1317-18. Mr Henderson's reply was based on information sent in No. 482.

there which have powerfully affected people all over the country. These are not personal matters, but have to be considered in their larger context and in connection with the possible consequences of any step that we might take.

13. It is for these reasons and others that we expressed our inability to have any change in the portfolios of Defence, Home, and External Affairs, and we are unable to change our opinion.

14. We earnestly desire, however, that some way out should be found which will satisfy the conditions you have laid down. We do feel that if it is at all possible for us really to cooperate with the Muslim League in the Interim Government and elsewhere, we should make an earnest effort to do so. Because of this we have given the most careful thought to this matter and we have come to the conclusion that we should offer you the important and key portfolio of Finance to be given to the representatives of the Muslim League, should they so desire it. This is one of the four portfolios to which you have drawn our special attention and which in some ways has precedence over all others. You will realise our difficulties in making this suggestion. But we have balanced the advantages and disadvantages and are of opinion that these difficulties are less than those involved in a transfer of any of the remaining three portfolios mentioned by you.

15. As I have written to you previously, we are also prepared to have a change in the Commerce portfolio. I have mentioned these proposals to my colleagues who have so far been in charge of Finance and Commerce. They have naturally not been pleased at the idea of being uprooted from work to which they have given so much time and thought. But, in the larger interests, they have been good enough to agree to the proposed change.

16. If these proposals are accepted, certain consequential changes will have to be made in regard to some of the other portfolios. We shall consider them amongst ourselves as soon as I know what the decision is about these proposals.

17. I would have earnestly suggested to you, if it was possible to do so at this stage, that no dislocation should be caused in regard to the portfolios for at least a month or so. The Central Legislative Assembly is meeting on Monday next and it is obvious that any changes now would lead to a great deal of confusion in the work of the Assembly. It is eminently desirable, therefore, for all the present portfolios to continue as they are, except for the five that are vacant, and for changes to be considered after the Assembly session is over.

18. This procedure would obviate many difficulties and allow all of us sufficient time to adjust ourselves in the best possible way to the new conditions. It is for you to judge whether this is possible now.

19. I would like again to point out to you what I have stated earlier in this

letter that it seems to us essential that even before the question of portfolios is considered, other matters should be cleared up. A premature step now without that clarification might well lead to new complications. The Interim Government can only function successfully on a basis of mutual understanding and team work. That means a clear acceptance of the Statement of May 16th by the Muslim League and a definite assurance by them that there will be cooperation and team work, and all the members of the Interim Government will function as a Cabinet. If all this was made perfectly clear, other difficulties would not long remain.

Yours sincerely,

JAWAHARLAL NEHRU

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/119A: f 8

IMMEDIATE
SECRET

NEW DELHI, 23 October 1946, 9 pm
Received: 23 October, 7 pm

No. 2222-S. Nehru wrote to me this morning¹ saying that he and his colleagues felt strongly that it would be improper to make any change in regard to the three portfolios External Affairs, Home, and Defence, one of which I had said must go to Muslim League. He agreed however that a change might be possible in regard to the Commerce portfolio.

2. Nehru went on that certain other points arose before the question of portfolios could be cleared. He complained that the League had not accepted the long-term plan and that recent League speeches, by Ghazanfar Ali and Liaquat Ali particularly, suggested that the League would not enter the Government in a cooperative spirit. Until these two points were cleared up, the allotment of portfolios could not be settled. The letter also referred to the disturbances in East Bengal as evidence against the Muslim League intentions.

3. I am afraid this shows that Congress will still do all they can to prevent the League coming in. I am doing my best to get over the difficulties, but it is possible that I may have to come home at short notice.

¹ No. 494.

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Sir O. Caroe (North-West Frontier Province) to Field Marshal Viscount Wavell

R/3/1/92: ff 48-54

CONFIDENTIAL

GOVERNOR'S CAMP, PARACHINAR,

D.O. NO. GH-196

23 October 1946

Dear Lord Wavell,

The last week has been one of great anxiety and no less difficult than we anticipated. As Nehru's tour progressed, I had an odd sense of watching the unfolding of a new act in a Greek tragedy on the old theme of hubris followed by nemesis. I had never met Nehru before our meeting last week in Delhi, but had always heard of his attractions. But in the eyes of many one feels that his charm must be overlaid by his intellectual arrogance, and I could not help noticing how like he is to his friend Madame Chiang Kai Shek. In a sense during his visit here he showed courage, but it was courage better described as bravado, with something feminine in its composition.

2. Your Excellency will remember that, when I came to Delhi, on 9th October, the two chief points I made were that a visit at this moment, when a Coalition was on the tapis, would be exceedingly ill-timed, but that if he was determined to carry it out he must make the approach on non-party lines, and on no account take round with him the Frontier leaders of one party. As expected, he was deaf to these arguments, in spite of the fact that after I had seen him there came Jinnah's decision to enter a Coalition.

3. For some time the League leaders up here had been showing increased activity, and there had been signs of their wishing to make their mark with the tribes. Up to the end of September they had been persuaded, by means direct and indirect, of the dangers of entering tribal territory to make a communal appeal on their own. They feared their lead would be followed by Congress with its money-bags and so kept out themselves. My principle during the last few months has been to tell the tribes that they would be unwise to allow either Congress or the League to make them the subject of a party approach, and that their policy lay in a refusal to deal until both parties came together in the Constituent Assembly. The fact that Nehru's appointment as Foreign Member carried with it power over tribal affairs did not at once penetrate to the tribes, but it did not take long for the Muslim League to understand the implications; and there is no doubt that it was this realisation which decided them to send their emissaries, and particularly the Mullah of Manki, into tribal territory. I considered anxiously at the time whether it would be wise to restrain the Mullah, but this could not have been done without his arrest, and I was not

willing to risk this open challenge. As soon as it became known that Nehru was definitely coming to the Frontier to deal through Abdul Ghaffar Khan—and it must be remembered that his decision to do so was taken without consultation with myself and overrode subsequent direct warnings which I went specially to Delhi to deliver—the League decided to intensify their propaganda among the tribes, and the Mullah of Manki went out on a tour, which included Gandab in Mohmand country, a place in the Malakand Protected Area, and Jamrud in the Khyber, the tour being timed just to precede Nehru's arrival. There is no doubt that at those meetings a good deal of fanaticism was stirred up. The Political Agents concerned, under my directions, and the longer-headed among the tribesmen did their best to persuade the Mullah against entering tribal territory, but failed. I think that in the circumstances, and given the fact that Nehru's tour was obviously intended to push the Congress cause, it would have been wrong to put active restraint against the League's propagandists going into tribal territory, and an attempt to do so would certainly have led to disturbances. It is noteworthy that neither the Mullah of Manki nor any other important League propagandist went to Waziristan, which since 1930 and until now has remained outside contacts with the Indian political parties of both complexions. The Mullah's activities had been confined to the Northern tribes around the Peshawar District.

4. Before Nehru's arrival, apprehending that his reception, particularly if he were accompanied by Abdul Ghaffar Khan, would be likely to be hostile, I arranged with the Resident in Waziristan for Dr. Khan Sahib to pay a special visit to Miranshah to prepare the ground for Nehru. Khan Sahib is a man of courage and character, and I wanted to show him and the tribes that we were anxious to give him every chance to act the harbinger. Special air transport was laid on, but he showed no keenness and unfortunately never went. Had he gone, it might have made some difference, though not I think much, to Nehru's reception in Waziristan. I mention the incident to show how anxious I was to give Khan Sahib and people of his way of thinking a fair run in the field.

5. When Nehru arrived he was greeted by a large and hostile League demonstration on the airport at Peshawar. The situation was ugly, and he had to be shipped out by a back way. Immediately—so immediately that I am convinced that this was part of prearranged tactics—the Political Department was publicly accused by Abdul Ghaffar Khan—an accusation subsequently embroidered by Mehr Chand Khanna, my Hindu Minister—of having staged the demonstration. If anybody really believes this propaganda, or wants to believe it, they have omitted to notice that if I and my officers were so powerful as all this, we would be a great force to be reckoned with! I cannot imagine that even Congressmen in their hearts believe the charge. What they want is to pass on the blame for the hostile reception from themselves, and to find an excuse to

sweep away the present methods of control on the Frontier. Nobody of any other persuasion does more than laugh at the assertion, and I gather the British and foreign pressmen who have been here during the last week saw through these tactics from the beginning.

6. The next day Nehru started for Waziristan, where the tribal leaders he saw at Miranshah and Razmak gave him an extremely hostile reception. These were not *Jirgas*, but the real leaders of the tribes who are of course selected by the tribes on tradition and heredity. Abdul Ghaffar Khan made the usual approach so popular in Congress circles, saying that all had been slaves together and were now going to be free. You can imagine the effect of that sort of talk on a gathering of glowering Pathan tribesmen. The Malikhs were further enraged by Nehru losing his temper. What they particularly disliked was talk of a regime of love, coupled with arrogant loss of temper. These people—and in this criticism I include people like Khan Sahib—are far too intense to deal with tribesmen. They do not understand that a steady quiet bearing, turning off to a snide or joke when tempers get frayed, is the proper way to deal. Moreover, it has been a great shock to the tribes to see a Hindu coming down to talk to them from a position of real authority, and they told him plainly that they regarded Hindus as *hamsayas* (their tenants or serfs), and would have no dealings. Certain factions, for their own ends, have made an approach to Congress. One of them is a faction of Bahlolzai Mahsuds led by a well-known Malik named Hayat, who has been hostile for the last ten years because Government did not raise his allowance to the pitch which he thought he deserved; and there was a friendly gathering of Blutannis, a tame little tribe many of whom are subjects and not real tribesmen, at Jandola, collected by a Naib Tehsildar dismissed for doubtful practices some years ago. Nehru called the tribesmen to their faces pitiful pensioners, and at the same time I have plenty of information that Congress funds are being spent to win over the old hostiles. So we have the spectacle of the recognised allowance-holders of the tribe, who are of course still Government's allowance-holders, being abused by the Member of the Government in charge, while an attempt is being made to bribe hostile factions out of party funds. There has been a good deal of talk in Congress circles of stopping the tribal allowances, and I wonder whether the pattern may not be to stop the allowances from Government and to replace them with secret party funds to obtain the support on bribery of sections hitherto hostile. If so, the end will be confusion, and the tribes will rise.

7. Then came the return to the North of the Province. This caused me far more anxiety, as Nehru intended to make journeys by road and not by air. The situation in the Khyber was alarming. The Afridis as a whole, the strongest and wisest of all the tribes, had refused to see Nehru at all. There was a smaller section who were willing to meet him, but they were overawed by the body of

the tribe, who have announced a fine on anybody who deals with either Congress or League. The Political Agent had to spend a dangerous day in separating large numbers of armed tribesmen at Janirud, and anything might have happened. More by luck than anything else he was successful, and the party got through up the Pass. After seeing the Khyber Rifles at Jamrud, Nehru went down with his party to the Afghan frontier, and it was on his way back when he got close to Landi Kotal that the stone-throwing started. This party seems to have been a jumbled collection of Afridis, Shinwaris, and Ningraharis from Afghanistan, no doubt excited by what the Mullah of Manki had been saying a couple of days previously, and I have no doubt that the League had a hand in it. It was entirely unexpected, and the Political Agent (an Indian) showed great gallantry in going into the midst of the melee and himself grappling with the stone-throwers. The party was not armed, and it is clear that an angry demonstration was all that was intended. But the breaking of glass seems to send people mad, and I gather from the Political Agent and from Crichton that if we had not been able, with difficulty, to induce the Khyber Rifles to open fire there would have been disaster. Although his car among others was stoned, neither Nehru nor any of his own companions were actually hurt on this occasion.

8 The party then went up the Malakand, having wisely given up Shabqadr, where they expected too much opposition. I had not been expecting trouble actually in the Malakand, where the people are generally peaceful, and was pretty certain that the Political Agent (another Indian), who is *persona non grata* with my Ministry, would be careful to use all his influence to prevent any insult to the party which might be attributed to him. However he failed. At two points on the way back on the following day, the first at Malakand itself and the second at Dargai at the foot of the pass, demonstrations by stone-throwers were made. On the second occasion Nehru, Khan Sahib and Abdul Ghaffar Khan were all injured, and again fire had to be opened to avoid disaster. The party would normally have returned via Mardan and Nowshera, where I had been expecting trouble. The Deputy Commissioner, Mardan, went on ahead and found the road blocked with dangerous crowds. With the greatest difficulty, and overriding the bravado of Dr. Khan Sahib, he managed to persuade Nehru to go back by another route across country via Charsadda, where their passage was unopposed as no one had been expecting them to take that way. There can be no doubt that all these demonstrations were League-organised. They were not armed and they carried black flags. But where they took place on hillsides, the temptation to throw stones overcame them, and the crashing of glass made them dangerous.

9. Meanwhile the Congress leaders here had been preparing a fine show for Nehru at Abdul Ghaffar Khan's *Ashram* at Sardaryab between Peshawar and

Charsadda, where he had collected Red Shirts from all over the Province to line the route. Up to the last moment the League had been intending to make counter-demonstrations, which might have been the most dangerous item in the whole programme, for I expected a pitched battle between the rival private armies. For some reason unexplained the League luckily called this off at the last moment. Either they felt that they would not be numerically strong enough at this point to deal with the Red Shirt demonstrations, or perhaps in answer to my appeals¹ through Your Excellency Jinnah had done something from Delhi to call them off. This visit was therefore carried out without mishap, and with much enthusiasm on the part of the Congress volunteers.

10. It has been necessary for me for all these tours through the North of the Province to arrange not only for Police and Constabulary guards, but for support by troops, and they were carried out in full convoy. The position reached by the end was that Nehru could not go anywhere outside the Cantonment of Peshawar without strong escorts of Police and troops, and my Ministers were in the same position. This is in odd contrast to my own journeys, when I go about the Province entirely without escort. In speaking of the troops I should say that the redeeming feature of Nehru's tour was the excellent reception he got from them and from the R.I.A.F. at Razmak, Miranshah and elsewhere. And I must add that without their help we might well have suffered a disaster.

11. Meanwhile the Congress propaganda against the machinations of the Political Department continued unabated, all the opposition met by Nehru and the Ministers being attributed to officers. I suppose the suggestion is that my officials use the Muslim League as an organisation for making the Congress position in the Frontier impossible. Anything more futile or malicious can scarcely be imagined. It is only ten days ago that the Mullah of Manki in a speech threatened to shoot me, if he got the word from Jinnah!

12. On the last evening I asked if Nehru would come and have a talk with me, and was glad to find him willing to do so. He had not been badly hurt, having bruises on the ear and the chin. He made no direct charge that Political Agents had been behind the demonstrations, but he accused our Indian subordinates of this kind of machination. He also charged the Political Agents in the Khyber and the Malakand (both happen to be Indians), and I gathered the Deputy Commissioners of Peshawar and Mardan also, with inefficiency in having been unable to prevent the demonstrations. I told him that I resented attacks on officers who had been subjected to immense strain by his untimely tour and had been doing all that was humanly possible against an outburst of feeling to secure his safety. I said, too, that if he believed that our Indian subordinates were powerful enough to organise opposition of this nature he would believe anything. On more general questions I said that, as I had told him, a

party approach to the tribal problem was bound to fail, and could not have been timed worse than was his approach. I added that, if he had gone round by himself quietly and without losing his temper and told the tribes that he was their guest, he would have been politely received, but it was fatal to take round a party politician like Abdul Ghaffar Khan. If he meant to take with him party politicians, he should have attempted to induce men from all parties to go with him. His answer to this was a tirade against the League, and an assertion that it was not his wont to desert his old friends, of whom Abdul Ghaffar Khan was the chief. He also said that he was coming again as soon as he could, and then gave me a lecture on "the authoritarian habits of the I.C.S." I told him that in my experience both the Indian political parties were far more authoritarian than any I.C.S. officer had ever been, and quoted, in response to a demand for instances, the tendencies towards one-party rule, and when in power to override the law. I asked him what he had achieved by this visit at this moment, to which his answer was that he had learnt many things, good and bad, and instructed himself. I said it seemed to me that this tour had put out of court for a very long time any hope of bringing in the tribes into the new India peacefully and free from party lines, and that his visit had done more to strengthen communalism and the party approach on this Frontier than anything else could possibly have done. Incidentally one result is likely to be the weakening of my Ministry's position. Finally I asked him why at critical junctures he always set out on his own with preconceived and published ideas and without hearing the other side, making it hard for him to adjust his attitude later. He said he felt himself unable to comment on his own proceedings, but one thing he must impress on me, and that was that there must be a complete change in the method of Frontier control, and what he termed "the romance of the frontier" must come to an end as soon as possible. Our conversation was amicable enough in tone, but with Nehru, as with other politicians in this country, one seldom finds there is any give and take in discussion. I made several attempts to induce such a spirit by expressing admiration of his courage, and saying that in theory at least in many respects the Congress approach to the Frontier problem was wider and wiser than that of the League, in that it was not conceived on religious or communal grounds. One was left with the impression that this politician of world-wide repute is entirely without any element of statesmanship, and that matters such as timing, adjustment, a quiet approach and a decision after weighing a great issue are beyond his ken.

13. I had feared throughout that Nehru might be killed, and this in spite of the heavy guards which were arranged. I think we are fortunate in having avoided that tragedy. There is no doubt that this visit has led to an upsurge of genuine feeling some of which is fanatical, and the results are difficult to

¹ See No. 459.

foretell. It is due to my officers, who have been placed in an impossible position, that something should be publicly said by Your Excellency, and by H.M.G. also, to reassure them, both by way of recognition of all they have done and of their success in avoiding complete disaster, and to make it clear that every man of goodwill sees through the futility of the attacks which Congress is making on them.

14. There is one other point, and that is that All-India Radio throughout in this matter has acted very much as a mouthpiece of Congress propaganda and has not given the true picture. It quotes what various party leaders say, giving much more prominence to the Congress point of view [than] to any other, and seems to avoid objective statements of fact.

15. I should imagine that this business will have an adverse effect on your efforts to get a Coalition going at Delhi, and I must reiterate the warning that the retention of Nehru, or any other Hindu, in charge of Tribal Affairs will prolong disorder and probably lead to tribal risings. Given the manner in which the Interim Government had to be formed, I see that it was not possible to do anything else at the outset, but to continue this arrangement must lead India into great danger.

Roughly the position is that we have told the tribes that for the time power is with Nehru, and the tribes have told Nehru that they will have none of him. What then is my position with the tribes?

16. Your Excellency may like to see separately reports from Waziristan and the Khyber, and I will send these later.

Yours sincerely,
O. K. CAROI

499

Governor-General (Home Department) to Secretary of State

Telegram, R/3/1/181: f 134

IMMEDIATE

NEW DELHI, 23 October 1946

No. 9168. Paragraph 2 of your telegram of October 19th number 18721.¹ Government of India expect shortly to finalise proposals for Services to replace Indian Civil Service and Indian Police. They would be grateful for earliest possible communication to them of H.M.G.'s proposals for termination of these Services. At Provincial Premiers' Conference held on Monday and Tuesday, view was strong and unanimous that Secretary of State's connection

with Services should be terminated without delay and this need not await finalisation of arrangements for replacement.

No. 481.

500

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Wavell Papers. Private Correspondence: Secretary of State, October 1943–December 1946, p. 134

PRIVATE AND TOP SECRET
No. 1331

THE VICEROY'S HOUSE, NEW DELHI,
23 October 1946

Thank you for your letter of the 11th October¹ about Nehru's unorthodox conduct on foreign relations. As I told you in my letter of the 15th October,² I took Nehru to task about his telegram to Aung San,³ and he assured me that no discourtesy was intended.

2. The matter of Krishna Menon is more serious. Nehru climbed down when I objected to Menon being given credentials and being commended to His Majesty's Government for their assistance. Though he said he had the support of his colleagues, it cannot have been full support because Nehru never came back to me again with the proposal. He seems to have sent off Menon in a purely unofficial way on his errands, though Menon still appears to have described himself as Nehru's Personal Representative.

3. Nothing but embarrassment is likely to follow from this experiment, but Nehru is not a man who learns by advice, and I think in the long run there will be some advantage in his discovering by experience that people of the sort of Krishna Menon will only do discredit to him and to India, and that there is something to be said after all for the proved methods of diplomacy.

4. I agree that the approaches to Russia can have done no good and I am sorry they should ever have been made.

¹ No. 431.

² No. 469, para. 8.

³ See No. 421.

501

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

L/P&J/10/46: ff 490-6

TOP SECRET

THE VICEROY'S HOUSE, NEW DELHI, 23 October 1946

Received: 30 October

My dear Pethick-Lawrence,

I have received your top secret letter of the 28th September¹ about my memorandum on a policy for India.²

2. I will begin by dealing with the proposal for further European recruitment, since it does not require much comment. Any proposal of this kind would, as I am quite sure you realise yourself, be wholly unacceptable to Indian opinion, and would revive in an acute form suspicion of our intentions to maintain a hold on India. It would also be without any practical value, even if suitable recruits could be secured. Our crisis will come in 1947 and 1948, or earlier; the recruits, even if enlisted at once, could be of little use until 1950 or later.

3. Before making any comments in detail on your letter of the 28th September, I will begin by defining the bases of my recommendations and my view of our joint and respective responsibilities in this matter.

The two main assumptions on which my plan is based are as follows:

(a) Our object is to transfer power in India without undue delay and with a minimum of disorder or bloodshed, so as to avoid civil war and the disintegration of the Indian Army; to secure, as far as possible, the interests of the Minorities, to which we are pledged; and last, but by no means least, to provide for the safety of some 90,000 Europeans in India, and of their interests in the country.

(b) The power of H.M.G. to exercise control in India is weakening daily. I have advised you, after consulting Governors and others with very great experience of India, that we shall be entirely without power to control events within 18 months from now as a maximum.

The above were the main considerations in my mind when I had the plan drafted. I am sure that you will not question the objectives given in (a); and the opinion given in (b) above is so universally the view of my advisers in responsible positions that I feel you can hardly disregard it. If you accept the time limit given above, I think you must recognise that there must be a very definite policy to cover these 18 months, and that it must be decided now.

4. On the question of responsibility, my position is as follows: H.M.G. and myself have a joint responsibility for securing the objects outlined in paragraph

3(a) above. It is my responsibility, as the man in charge on the spot, to advise you how those objects can best be secured from the point of view of action in India. If H.M.G. consider that my advice shows lack of balance and judgment, or that I have lost my nerve, it is of course their duty to inform me of this and to replace me. But they take a very grave responsibility upon themselves if they simply neglect or disregard my advice. On the other hand, the political expediency, from the point of view of Parliament, of my proposals is entirely a matter for H.M.G.

5. While the outline of the policy in the paper was mine, the group of civilian advisers whom I consulted (they have an average service in India of more than 25 years and may therefore be granted to have some experience of the country) were given full liberty to suggest a radically different plan of any other kind if they could; but after a number of discussions, at which I was not present and did not attempt to influence them, they unanimously accepted the plan I have recommended to you, as the best to meet the circumstances with which we are confronted. For military advice I originally consulted the C.G.S., in the absence of the C-in-C at home, and later the Adjutant-General. When the Commander-in-Chief returned, I put the plan before him, and he also consulted the Adjutant-General. All these three officers, of whom two are in the Indian Army and have over 60 years service in it between them, supported the plan, both as the best chance of preventing the disintegration of the Indian Army before our departure, and of providing for the safety of Europeans.

6. If you consider that my proposals are quite unacceptable from the political point of view, you must provide me with a definite alternative policy to cover the critical period ahead. You speak at the beginning of paragraph 3 of your letter of "the policy we are pursuing" being attended by great risks. The trouble is that I do not know what long-term policy H.M.G. is pursuing. I have assumed in my paper that H.M.G. would not wish "to retain a shadow of authority which can no longer be enforced", and at the same time remain responsible in the eyes of Parliament and the world for everything that goes on in India. I have suggested that the whole issue might be placed in front of the leaders of the Opposition and of the Dominions, but it is for you to say whether such a course is politically practical or not.

7. If it is indeed the policy of H.M.G. merely to carry on without any more definite programme than to hope for the best, they will inevitably place themselves, gradually or almost at once, completely in the power of the Congress Party, which by all present indications is out to secure power in the Interim period if it can. The danger of this situation arising will increase steadily as our power in India diminishes. Thus, even with a Coalition we may be faced at

¹ No. 379.

² No. 286.

any time with a crisis, and even with a Coalition we cannot afford to postpone our withdrawal indefinitely.

Once we are in a position of complete dependence on the Congress Party we shall be in an impossible position. We shall have to use British troops to put down disturbances of Muslims and other Minorities whom the Congress may wish to suppress (and may have provoked), thus breaking all our pledges to the Muslims and other Minorities; we shall be unable to impede aggressive action against the Princes and consequent disorders in the States; while retaining responsibility in the eyes of the world we shall be powerless to prevent oppression, famine, the break-up of the Indian Army, and possibly civil war and complete chaos. And perhaps most important of all, in regard to the final reckoning with the British people, we shall expose the 90,000 British persons in India to grave and avoidable dangers.

If H.M.G. are prepared to accept such a position, I must certainly reconsider mine.

8. As a military commander, I have naturally some knowledge of the conduct of retreats, and also, unfortunately, some experience of conducting them. I submit that our present position in India is analogous to that of a military force compelled to withdraw in the face of greatly superior numbers, and naturally wishing to do so in the most orderly manner possible and with the least loss. Now the accepted military method of conducting such a retreat is to fall back gradually from one position to another, on a timed programme and with adequate preparation, gradually reducing the commitments. The method that inevitably spells disaster is to have no plan and to hang on in impossible positions over a wide front until compelled to get out as quickly as possible.

9. In paragraph 3 of your letter you suggest that the considerations which have weighed mainly with me are the political considerations mentioned in (c) and (d) of paragraph 11 of my memorandum. This is not so. The main considerations were those I put in the forefront of this paragraph, in (a) and (b), i.e. that we should have a definite plan, and not merely wait on events; and that we should withdraw in the best possible order, with the least danger to our nationals and the best chance of maintaining the integrity of the Armed Forces.

I should never have got a coalition if I had not gone ahead with the one-party Government. Similarly we shall never get out of India with credit unless we keep the initiative, convince both sides and the Princes that we mean business, and proceed on a definite policy.

10. I feel also that you are suffering under a misconception with regard to the military plan for the safety of Europeans. The plan of which I informed you when the Mission was in India was one which in its elements has existed in India for the last 40 years to my knowledge, and I presume probably ever since the Mutiny of 1857. It provided in emergency for the collection of Europeans

at some centre where they could be put under military protection. The reason why I had the plan revised lately is that former schemes were all based on the conception that reinforcements from abroad would arrive and that disorders would be put down and the country again taken under control. The new feature will be that there will be no reinforcements, or very few, and that we have to withdraw and not reoccupy. There had therefore to be added to the existing scheme provision for withdrawing towards the ports.

Obviously this is not a plan which provides for the complete safety of Europeans, it is merely an emergency measure to give the best possible chance to them in a crisis. The Commander-in-Chief has lately informed me that owing to the progress of demobilization, the original plan which existed when the Mission was here is now impracticable and has to be revised, since many of the troops are not available. It will therefore provide a less degree of safety than before.

I consider, and the Commander-in-Chief agrees, that the proposals in the plan you have received give a better chance to provide for the safety of Europeans, since the withdrawal will be conducted in stages, and it is hoped in conditions of comparative tranquillity.

The objection raised in your paragraph 6, that withdrawal from northern India would be dangerous because we should have handed over the ports of Madras and Bombay, seems to me to be beside the point, since we should have already evacuated those of our nationals who wished to leave from the south of India through those ports; and I submit that there is no greater difficulty about evacuation through Calcutta and Karachi than through other ports.

11. I should also call your attention to the matter of external defence. My proposals do provide for British control of the vulnerable north-western and north-eastern frontiers of India for a certain period, during which the Indians themselves may realise the dangers and make some joint arrangements for their continued safeguarding after our departure; whereas the hurried withdrawal from the whole of India at once, which you consider the better course, is likely to leave India's frontiers open.

12. You seem to assume that the announcement of the plan would at once lead to disorder and outbreaks of violence all over the country and an attitude of complete hostility to us everywhere. In the first place, I should not dismiss the Government if they were agreeable to remain in office, and I think it is conceivable that they might do so, especially if there were a Coalition. After all, the Congress would be receiving unqualified and immediate power over a very large proportion of India, and it would hardly be to their interests that those Provinces should be thrown into chaos. I think that there is a reasonable prospect that the position might be accepted, and that the Congress would acquiesce in an orderly transfer, whether the Central Government were

dismissed or not. It is my considered opinion that if H.M.G. were to make a definite announcement of its intentions, refuse to allow itself to be diverted from it, and show that it is prepared to take the necessary steps to protect its interests while handing over control, the plan may be carried out without great difficulty.

13. At all events, the plan I have submitted to you is the best which I can propose for the achievement of the objectives I have set out in paragraph 3 (a) above; and it is accepted by the Commander-in-Chief, who has seen this letter, as the best prospect of holding together the Indian Army and securing the safety of some 90,000 Europeans. While the Commander-in-Chief recognizes the dangers to the Indian Army of the course proposed, he agrees that the policy of merely waiting on events and then withdrawing from the whole of India as quickly as possible is attended with much greater danger both to the integrity of the Armed Forces and the safety of Europeans.

14. The formation of a Coalition at the Centre will not alter the basic position, although superficially the condition of the country may be better. We shall always have the danger of the Coalition breaking up, when we should be confronted almost at once with a serious emergency, and the British in the country might be in danger.

I must therefore warn H.M.G. in the strongest terms of the very grave risks they run and responsibilities they incur if they reject my plan and at the same time fail to give me a definite policy to secure the safety and dignity of our withdrawal from India.

I consider this matter of such importance and urgency that I must request that H.M.G. give it immediate re-consideration and in particular that I may receive as soon as possible definite replies to the following questions:

(a) Is my assumption correct that H.M.G. will in no circumstances change their policy and decide to continue to rule in India for a further period of years (paragraph 1 of my paper)?

(b) Does H.M.G. accept or not my estimate of the period of 18 months as the maximum period during which we can continue to exercise any control over India (paragraph 8 of my paper)?

(c) Is my assumption correct that H.M.G. will not wish to retain a shadow of authority and responsibility, when control over events is no longer possible (paragraph 8 of my paper)?

(d) Does H.M.G. question the need for a definite plan of withdrawal from India (paragraph 9 of my paper)?

(e) If H.M.G. is unable to accept my plan, on what plan am I to base our withdrawal?

15. While I must insist that there should be a plan, worked out in

considerable detail, the timing and details of announcement are matters which it may be necessary to decide later.

On the one hand, a serious breakdown may occur at any time, and with little or no warning, necessitating a plan being put into force immediately.

On the other hand, if all goes well, i.e. if the Coalition Government remains in being, and if the Constituent Assembly is working and seems likely to produce results, we should obviously hold our hand as long as possible.

But we must always have an emergency plan in readiness; and if it is agreed that we cannot hope to control events for longer than 18 months from now, we shall have to make up our minds and make a definite pronouncement at least in the first half of 1947. While I agree that we should not leave India till we have exhausted every possible means of securing a constitutional settlement, we can make no contribution to a settlement once we have lost all power of control.

Yours sincerely,

502

Government of India, Home Department to Secretary of State

Telegram, L/S&G/7/916: f 78

IMMEDIATE

NEW DELHI, 24 October 1946, 3.5 am

Received: 23 October, 11.45 pm

9169. View of Provincial Premiers, mentioned in concluding sentence of my cable No. 9168, dated 23rd October,¹ was embodied in following resolution passed unanimously. *Begins.* This conference of Prime Ministers of Indian Provinces and their representatives is strongly of the view that a time has now come when, in the interests of efficient and frictionless administration, the control of the Secretary of State over Services in India should cease. They therefore request Interim Government to urge most strongly upon H.M.G. that connection of Secretary of State with Services should be terminated forthwith and that an announcement to that effect, fixing a very early date, should be made at once. They also recommend that Secretary of State be requested to expedite his proposals for winding up the Services. *Ends.*

¹ No. 499.

503

Field Marshal Viscount Wavell to Pandit Nehru

R/3/1/119A: ff 14-15

24 October 1946

My dear Pandit Nehru,

I have received your letter of October 23,¹ and thank you for the full explanation you have given me of your feelings. I fully appreciate your difficulties and anxieties.

I have given the matter of portfolios very earnest consideration since I saw you last and since I have had your letters.

I thank you for your offer of the Finance portfolio to the Muslim League. But I am quite clear that this portfolio should remain in the capable hands of Dr Matthai, who has such special qualifications for this post and has the confidence not only of yourself and myself but also of Mr Jinnah, as he has informed me.

I also agree that you should retain the External Affairs portfolio; and that it would be best not to make a change in the Defence portfolio.

I have therefore come to the conclusion that I must allot the Home portfolio to the Muslim League. I fully appreciate the arguments against this, but after much thought have decided that this is the best way to proceed. In allotting this portfolio to the Muslim League I shall make it quite clear that acceptance of office and particularly of this portfolio carries with it responsibilities which must involve the abandonment of the policy of Direct Action. I shall also make it clear that Members of the Cabinet must in their public utterances reflect the policy of the Cabinet as a whole.

I need hardly say that my choice implies no reflection whatsoever on the handling of the portfolio by Sardar Vallabhbhai Patel, in whom I have every confidence and of whose abilities I have formed a very high opinion; so much so that I shall be prepared to allot him any of the other vacant portfolios for which you may propose him.

I am grateful to you for agreeing to put the Commerce portfolio at my disposal for allotment to the Muslim League.

I shall be glad to know as soon as possible what changes consequential on my decision you wish to recommend, as we must endeavour to announce the allotment of portfolios today.

I have given careful consideration to your suggestion that the Muslim League should take the five vacant portfolios and that a further re-allotment should be made after the Assembly session; but have come to the conclusion that this would not be advisable.

I note what you say in the remainder of your letter. I need not say how deeply

disturbed I too have been by the events in Eastern Bengal. I feel confident that the Governor will see that all possible steps are taken to restore order and confidence and to punish offenders. I have often expressed to you my conviction that the deplorable state of tension which exists between the two main communities in India can only be relieved by the two parties working together in cooperation, in the Central Government. It has always been my object to achieve this; and I do devoutly trust that this new Interim Government, in spite of the inauspicious conditions in which it is being formed, will result in a feeling of cooperation that will bring peace and progress to India. The sooner we can start on this great task the better.

Yours sincerely,
WAVELL

¹ No. 496.

504

Pandit Nehru to Field Marshal Viscount Wavell

R/3/1/119A: f 16

EXTERNAL AFFAIRS DEPARTMENT, 24 October 1946

Dear Lord Wavell,

I have just received your letter of today's date.¹ I hasten to write to you and tell you that your decision to take away the Home portfolio from Sardar Patel and give it to the Muslim League is one which will lead to certain consequences which I have clearly indicated to you already. Sardar Patel told you personally and has told us that he would in that event resign from the Government. I take it that it is with full knowledge of this that you have taken your decision. We are in full agreement with Sardar Patel in this matter and we cannot continue in Government without him.

I am writing to you immediately on receipt of your letter and without consulting my colleagues in regard to it. I shall do so this afternoon as the matter is of the utmost consequence. But I have little doubt about their views on this subject which we have already discussed very fully.

Yours sincerely,
JAWAHARLAL NEHRU

¹ No. 503.

505

*Field Marshal Viscount Wavell to Pandit Nehru**R/3/1/119A: f 17**24 October 1946*

Dear Pandit Nehru,

I have received your letter of today.¹ I shall be very sorry if you and your colleagues decide to take so serious a decision. If it is to be so, I shall have to report the matter at once to H.M.G. and ask them to reconsider the whole situation.

Yours sincerely,

WAVELL

¹ No. 504.

506

*Field Marshal Viscount Wavell to Lord Pethick-Lawrence**Telegram, R/3/1/119A: ff 21-2*MOST IMMEDIATE
SECRET

NEW DELHI, 24 October 1946, 6 pm

Received: 24 October, 2.30 pm

No. 2224-S. My telegram 2222-S of 23rd October.¹ I saw both Nehru and Jinnah yesterday.

2. I told Nehru, and confirmed it by a letter afterwards,² that I felt I must offer the League either E.A. or Home or Defence especially since I am committed in my broadcast to give the Muslim League a fair share of the key portfolios. I realised the difficulties in making a decision and would be sorry myself to see a change in any of the three portfolios, but one could not reform the Cabinet without some dislocation.

3. I again made it clear to Jinnah that the League's entry into the Interim Government was conditional on acceptance of the long-term scheme as embodied in the statements of the 16th and 25th May. Jinnah assured me that the League would come into the Government with the intention of cooperating, and said he regretted and condemned the recent disturbances in Eastern Bengal. I informed Nehru³ of what passed between Jinnah and me.

4. I received a letter from Nehru this morning.⁴ He said a definite resolution of the League accepting the scheme of May 16th was necessary and added that the Congress had not accepted the interpretation in the statement of the 25th May but were prepared to accept the decision of the Federal Court on all

matters of interpretation. After commenting on the state of communal tension, on his own experiences in the N.W.F.P. and on conditions in E. Bengal he said that any handing over of the portfolios of Defence and repeat and Home to the League was impossible. Similarly he could not give up External Affairs. Finally he offered the portfolio of Finance to the League.

5. In my next telegram I give the text of my reply.⁵ Nehru has since informed me privately⁶ that Patel will not stay in the Government if he has to give up the Home portfolio and that the Congress will not stay in office without him. This may be bluff but I shall know this evening. Should they maintain this attitude, I shall of course try all means to avoid a deadlock, either by persuading them to give up Defence instead of Home, or in the last resort by asking the League if they will accept Finance; but if it seems clear that the Congress are determined to keep the League out of the Government I think I must then come home at once for consultation.

6. Meanwhile the Assembly starts on Monday and there is a heavy programme. If there is a deadlock, I think I should offer the League the choice of (a) coming in at once and taking over the vacant portfolios or (b) waiting for a settlement.

¹ No 497.² and ³ No 495⁴ No 496⁵ No 503⁶ No 504

507

Pandit Nehru to Field Marshal Viscount Wavell

R/3/1/119A: f 18

17 YORK ROAD, NEW DELHI, 24 October 1946

Dear Lord Wavell,

I have received your second letter of to-day's date.¹ I have consulted my colleagues and they agree with what I wrote to you early this afternoon.² We cannot continue in the Government if a decision is imposed upon us against our will, as suggested by you. We would not have attached importance to the allocation of portfolios but for the implications and circumstances which I have already mentioned and which compel us to do so.

Two months ago I was asked to form the Interim Government and I undertook that responsibility. This was done as a result of all the talks and negotiations which preceded it with the concurrence of HMG. Now that a crisis has arisen which is leading to our resignations and the termination of this Government, I think HMG should be fully informed of all developments. It is due to them

¹ No. 505.² No. 504.

that they should know the background of events here. I am glad therefore that you are referring the matter to them. I have tried to explain our position to you in my two letters dated 23rd October.³ These letters may be sent on to HMG.

Yours sincerely,

JAWAHARLAL NEHRU

³ Nos. 494 and 496

508

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/119A: f 24

IMMEDIATE

NEW DELHI, 24 October 1946, 8 pm

SECRET

Received: 24 October, 6 pm

2226-S. My 2224-S of today.¹ I have received the following letter from Nehru. The text of the two letters of 23rd October² to which he refers are given in my two succeeding telegrams. My next move is to see Jinnah and ask whether the League will accept the Finance portfolio but the chance is very small.

2. *Begins: [There follows the text of No. 507.] Ends.*

¹ No. 506.

² Nos. 494 and 496.

509

Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/119A: f 29

MOST IMMEDIATE

NEW DELHI, 24 October 1946, 11.20 pm

SECRET

Received: 24 October, 8.45 pm

No. 2229-S. In continuation of my telegram 2224-S of 24th October.¹ I have since seen Jinnah who agreed to League taking Finance and Commerce portfolios and three others. I then saw Nehru who accepted this arrangement. Only outstanding points for settlement would appear to be distribution of five portfolios (Works Mines Power, Communications, Education, Health, Legislative) between Matthai, Bhabha and three Muslim League nominees. This should present no great difficulty, but from my experience of these negotiations I am quite prepared for fresh objections to be raised tomorrow by either or both Nehru and Jinnah after consulting their respective colleagues.

¹ No. 506.

510

*Pandit Nehru to Field Marshal Viscount Wavell**R/3/1/119A: f 33*

EXTERNAL AFFAIRS DEPARTMENT, NEW DELHI, 25 October 1946

Dear Lord Wavell,

I have consulted my colleagues about the change in portfolios and we are of opinion that these should be distributed as follows:

Industries & Supplies	Dr. John Matthai.
Education & Arts	Mr. C. Rajagopalachari.
Works, Mines & Power	Mr. Bhabha.

The other portfolios held by present Members will remain where they are.

May I suggest that a meeting of the Cabinet be held tomorrow morning in order to consider more specially the adjournment motions and other agenda for the Central Assembly?

Yours sincerely,

JAWAHARLAL NEHRU

511

*Pandit Nehru to Field Marshal Viscount Wavell**R/3/1/119A: f 34*

NEW DELHI, 25 October 1946

Dear Lord Wavell,

I have been trying to telephone to you for some time without success. Something has apparently gone wrong with our telephone.

I have consulted my colleagues with reference to our conversation to-day.¹ They regret they are unable to alter their decision of this morning. They feel strongly that this would be unfair to all of us and discourteous to those who had agreed to give up the portfolios they had so far held. If, however, we have to reconsider the whole matter afresh then Finance should remain with

¹ According to the entry for 25 October in *Wavell, The Viceroy's Journal* (p. 364), Pandit Nehru 'as usual opened the bowling with a fast one'. He had written [No. 510] that Dr Matthai would take Industries and Supplies and that Mr Bhabha would go to Works, Mines and Power. Lord Wavell, however, had told Pandit Nehru the previous evening that he was prepared to allot Works, Mines and Power to Dr Matthai but that otherwise he was committed to giving it to the League. 'So', Lord Wavell continued, 'I sent George [Abell] down to see Nehru and tell him Bhabha should take Posts and Air or Health. No result. So I saw Nehru myself, again without result, except that he said he would put it to his colleagues.'

Dr. Matthai. Otherwise the arrangement made this morning, which I communicated to you in writing,² should remain unchanged.

Yours sincerely,

JAWAHARLAL NEHRU

² No. 510.

512

Field Marshal Viscount Wavell to Mr Jinnah

R/3/1/119A: f 35

25 October 1946

Dear Mr Jinnah,

The portfolios that I can offer the Muslim League in the Interim Government are the following:—

Finance
Commerce
Posts and Air
Health
Legislative.

2. I should be grateful if you would let me know how you would propose that these portfolios should be distributed among the Muslim League representatives in the Cabinet.

3. I should like to get an announcement out to-night, and to Swear In the new Members whom I shall warmly welcome tomorrow.

Yours sincerely,

513

Mr Jinnah to Field Marshal Viscount Wavell

R/3/1/119A: f 36

10 AURANGZEB ROAD, NEW DELHI, 25 October 1946

Dear Lord Wavell,

I am in receipt of your letter of October 25, 1946,¹ at 5-30 p.m. communicating your decision regarding portfolios.

I am sorry I cannot say that it is an equitable distribution, but we have discussed all the pros and cons and as you have taken your final decision, I need not go into the matter further.

I am sending you below the names of the nominees of the Muslim League showing how these portfolios should be distributed amongst them:

Finance	...	Mr. Liaquat Ali Khan,
Commerce	...	Mr. I. I. Chundrigar,
Posts & Air	...	Mr. A. R. Nishtar,
Health	...	Mr. Ghazanfar Ali Khan
and Legislative	.	Mr. Jogendar Nath Mandal. ²

Yours sincerely,

M. A. JINNAH

¹ No. 512

² In tel 367-GT of 25 October Lord Wavell sent Lord Pethick-Lawrence the text of a Press Notice which was being issued. This gave details of the portfolios allotted to the League, consequential changes in other portfolios, and listed portfolios which remained unchanged. R/3/1/119A: f 44. For complete lists of the Members of the Interim Government and their portfolios during the period of this volume see *Principal Holders of Office*, pp. xxxi-xxxiv.

514

Field Marshal Viscount Wavell to Pandit Nehru

R/3/1/119A: f 39

No. 592/47.

25 October 1946

Dear Pandit Nehru,

The League have, I am glad to inform you, accepted the portfolios offered them and I enclose a copy of the press communiqué¹ that is being released this evening

Many thanks for your help. We must now make this a real coalition.

Yours sincerely,

WAVELL

¹ See No. 513, note 2.

515

Field Marshal Viscount Wavell to Mr Jinnah

R/3/1/119A: f 40

No. 592/47.

25 October 1946

Dear Mr Jinnah,

Many thanks for your letter of this evening.¹ I am indeed delighted that the difficult business of the portfolios should now be settled, and that I can swear

¹ No. 513.

in the new members tomorrow. I hope we may be able to create gradually a new spirit of trust as the result of this coalition and I am grateful to you for your helpful and friendly attitude.

Yours sincerely,

516

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

Telegram, L/P&J/10/75: f 52

IMPORTANT

INDIA OFFICE, 25 October 1946, 7.45 pm

Received: 26 October, 7.45 am

No. 19046. Have just received your 2236-S¹ reporting agreement on portfolios and Reuter transmission of announcement² and hope this means that all immediate difficulties have been surmounted. If so I congratulate you and trust you are now through the worst. Many thanks for keeping me fully informed

¹ Of 25 October. R/3/1/119A· f 42.

² See No. 513, note 2.

517

Lord Pethick-Lawrence to Field Marshal Viscount Wavell

L/PO/10/23

PRIVATE AND SECRET

INDIA OFFICE, 25 October 1946

Received: 2 November 1946

Thank you for your letter of 15th October.¹

2. I received yesterday your two telegrams² about the difficulties over portfolios and late last night your telegram³ saying that Jinnah had accepted on the basis that the League would have Finance, Commerce and three other portfolios. You certainly have a stony path to tread and I am very glad that a way out of these difficulties appears to have opened.

3. Since my letter of the 18th October⁴ I have seen the correspondence between Jinnah and Nehru connected with the Bhopal negotiations, and, in the light of it, I feel, as I think you do, that Bhopal has, as it turns out, done more harm than good. Congress are probably justified in thinking that League are not coming in in a fully co-operative spirit, but they are not entitled to take any credit to themselves on that account because their own attitude to the

League is largely responsible for that situation. I hope that the trouble about portfolios will not further worsen the League's attitude.

4. I am afraid Ghazanfar Ali is likely to be a nuisance in the Government. I saw a very unflattering description of him in one of Jenkins' recent reports⁵ and the speech to which you say Nehru referred is certainly provocative.

5. I am sorry to hear that Nehru has now raised with you the matter of the Inspector-General of Police in the United Provinces. I hope that when you discuss it with Nehru you will be able to get him to take a different line. It certainly looks as if Pant had not been very direct in his dealings in the matter, or given a very complete and accurate account of them to Nehru. It would, as now presented, be a poor case on which to have a major breach with Congress; but I appreciate that the original point at issue between the Inspector-General and the Government of the United Provinces was an important one from the point of view of Police discipline. Ministers will have, surely, to learn that it will not in the long run pay them to undermine it.

6. As you will probably be aware. Dr. Ambedkar arrived in this country a day or two ago. He has stated, I believe in a press interview, that he is having printed a statement of his case and that, until this is ready, he does not propose to approach political leaders here. In the expectation, however, that sooner or later he will seek interviews with the Prime Minister, Cripps, Alexander and possibly other Ministers, I have had prepared a brief,⁶ of which I enclose a copy, and have sent copies to Ministers likely to be concerned in order to provide them with the necessary background information.

7. In paragraph 7 of my letter of August 6th⁷ I referred to the situation in Hyderabad. I have now seen the correspondence with the Resident up to the first week in September.⁸ It is difficult to comment until Sir Mirza Ismail shows what line he intends to take; I shall be most interested to see what happens. In the meantime I should be glad to have your estimate of the probable course of events, with particular reference to the question whether Ismail is likely to sponsor the existing programme of constitutional reforms or to attempt to remodel it in response to the criticism it is encountering, particularly in Hindu quarters. He had, of course, no hand in its preparation and is presumably not committed to a policy of pushing it through regardless of the consequences. I note that Gandhii has suggested that he should scrap it altogether. Another point on which it would be interesting to have information is how Ismail gets on with the Nizam and the principal officials.

¹ No. 469.

² Nos. 506 and 508.

³ No. 509

⁴ No. 477.

⁵ No. 627 of 30 September 1946. L/P&J/5/249: f 45.

⁶ A copy of the brief is on L/P&J/10/50: ff 12-17.

⁷ No. 126.

⁸ L/P&S/13/1210.

8. The intimation in paragraph 7 of your letter of the 15th October that opium smoking is to be prohibited in the whole of British India and that the States are being asked to co-operate is very welcome news and comes at a most opportune moment. We may expect heavy attacks from the Americans at the forthcoming meeting in New York of the Narcotics Commission on India's opium policy, particularly as there has recently been evidence to show that a very large proportion of the opium finding its way into America and Canada in the illicit trade is of Indian origin. I am glad Greenfield will have some counterblast to the American attack.

9. I am still struggling to reconcile conflicting views here on a scheme of compensation for the termination of Secretary of State's Services which will be fair all round and I recognise the urgency of producing it. In the meantime several telegrams have passed between the Home Department and this Office on the whole question which I think you should be aware of. I do not know whether you now have access to all such telegrams but it may be convenient to record the numbers here:—

No. 9032 from Home Department to Secretary of State, dated 19th October.⁹

No. 18721 from Secretary of State to Home Department, dated 19th October.¹⁰

No. 9168/9 from Home Department to Secretary of State, dated 24th October.¹¹

Telegram No. 18721 was sent late on Saturday evening in my absence and went further in suggesting the possibility of terminating the Services prior to the coming into effect of the constitutional changes than I should have been prepared to go had I seen it before it went. But I have of course always realised that this might be forced on us by events and you will see that the Home Department strongly urge this course. I shall be glad of your views on this subject.

10. In paragraph 3 of my telegram of 3rd October, No. 17834,¹² I mentioned that consideration was being given to the making of an early statement in the House about ministerial responsibility for the United Kingdom High Commissioner and the channel of communication with him. On further consideration it has been decided not to make such a statement on the ground that it would be unwise to encourage Questions about the High Commissioner's position, which is difficult to define without exposing surface and provoking controversy, and in relation to which, too, we wish to maintain some fluidity. A formal announcement, and more especially the possible Questions to which it would give rise, might unduly restrict our liberty of action with regard to him. If there is pressure, however, it is in mind that a formula on the following

lines should be used. We shall also advise Shone to reply similarly if he is asked about these matters by the Government of India on his arrival:—

“It has been decided that the United Kingdom High Commissioner in India should for the present be responsible not to any departmental Minister but directly to the Prime Minister. The conduct of day to day business with him will be in the hands of an inter-departmental committee under the chairmanship of the Secretary of the Cabinet. Formal correspondence with him will be conducted by the Cabinet Office under the authority of this committee.

(The Lord Privy Seal has undertaken to answer, on the Prime Minister's behalf, any Parliamentary Questions regarding the High Commissioner which do not fall clearly and wholly within the departmental responsibility of another Minister.)”

The second paragraph of the above formula is shown in brackets for the reason that, even if it should prove necessary to use the formula, the second paragraph would be withheld unless the specific question of responsibility for answering Parliamentary Questions were raised.

[Para. 11, on a Knighthood for Mr Shone, omitted.]

12. I referred, in my letter of 11th October,¹³ to your telegram No. 2042-S¹⁴ to all Governors about the conferment of English honours and Indian titles on Indians. We have since received Abell's telegram No. 2157-S¹⁵ explaining that, although recommendations for the forthcoming New Year List have been received from all Provinces, five Departments of the Government of India who had not sent in their recommendations when the new Interim Government was formed, have now reported that they have no recommendations to make. Whatever decision may be reached with regard to next year's Birthday Honours List and subsequent lists, it seems likely to be very embarrassing if, at this late stage, action in respect of the forthcoming New Year List cannot be completed. I hope, therefore, that you will succeed in securing agreement in favour of this.

[Para. 13, forwarding a copy of a recent White Paper on 'Central Organisation for Defence'; and para. 14, on a suggestion that one of Lord Wavell's daughters should travel out on the same plane as Mr Shone, omitted.]

⁹ No. 480. ¹⁰ No. 481. ¹¹ Nos. 499 and 502

¹² No. 401. ¹³ No. 432.

¹⁴ and ¹⁵ L/PO/12/Temp. No. 10: 'Awards of Honours and Titles to Indians.'

518

*Mr Scott to Mr Abell**R/3/1/119A: f 48**26 October 1946*

Yesterday evening I waited in Mr. Jinnah's house for his reply¹ to H.E.'s letter² about the distribution of portfolios. When the reply was ready, I was asked to go into the room where Mr. Jinnah was sitting with Mr. Liaquat Ali Khan, Mr. Abdur Rab Nishtar and Raja Ghazanfar Ali Khan. Mr. Jinnah gave me a letter and then said that there was a message which he would like to convey to H.E., but which he was unable to put in the letter as the correspondence would probably be published. He asked me to convey to H.E. his own and his colleagues' thanks and gratitude for the patience and kindness which he had shown to them during the negotiations. I said that I was sure that H.E. would be gratified to have this message.

I. D. SCOTT

¹ No 513² No. 512.

519

*Sir H. Dow (Bihar) to Field Marshal Viscount Wavell (Extract)**L/PEJ/5/118: ff 46-8*

D.O. NO. 299-G.B.

26 October 1946

2. From the tone of the press it may be gathered that in this predominantly Hindu province there is general disappointment that the Muslim League have decided to enter the Interim Government. From the Hindu point of view Pandit Nehru and his colleagues were getting on very nicely: the new Muslim members are criticised as being nobodies, and the inclusion of an Ambedkarite from the depressed classes arouses particular anger. Also, of course, the Viceroy and the British bureaucracy have arranged the whole thing, so that by creating dissension in the Executive Council they may get back some of the powers of which they have been shorn.

The result of this ill-natured and unbridled criticism, unhappily assisted by the course of events in Bengal, is a further deterioration in the communal situation, which was bad enough already. The CSP and Communists and other extremist organisations are only too ready to exploit this, and my ministers, though they must see the danger, have not the courage to do anything effective against it. J. P. Narain has again been stumping the country trying to suborn the police from their allegiance, stating that while all the constables were fine

stout fellows whom the country could rely on in "the coming struggle", all officers from the I.G. down to the Assistant Sub-Inspector were dishonest and unreliable. Ramanand Tiwari continues openly to urge the police constables to go on strike and to refuse to obey their officers. Every police officer of rank points out the danger of this and asks for orders: for more than a month past the ministry have known that they ought to act, but whenever the file comes up for orders the only order is "Let us discuss this among ourselves", and then the discussion is postponed to another meeting. My Prime Minister told me he would discuss this question with Patel and with other Prime Ministers at Delhi, but he did not do so. He has only returned today after nearly a month's holiday at Simla, and I shall take an early opportunity of speaking to him again on the subject. I fear, however, he will simply play for time in the hope that something may turn up to render action unnecessary.

3. The ministers are, however, always ready to threaten and punish any Government servant who has the misfortune to have to deal with outbreaks of communal violence, and I have great difficulty in securing fair dealing for them. In paragraph 2 of my letter of the 8th,¹ I mentioned the serious unprovoked massacre of Muslims at Beniabad. The Prime Minister visited the scene, called for a detailed report from the Commissioner, and then went off to Simla on his holiday. As soon as he had gone, the Revenue Minister demanded immediate punishment of several of the Government servants involved, including the sub-divisional magistrate, without waiting for the Commissioner's report. This was mainly in response to press criticism demanding someone's head on a charger: he also said that if this action was not taken immediately, the responsibility would be mine if there were further riots by way of repercussion. I was quite prepared to accept this responsibility rather than let officers be victimised, and I have successfully staved off action till my Prime Minister's return, and I have now sent the papers to him for his personal decision after recording my own views. It is not very satisfactory, and I don't know whether the officers will ultimately be better off, as the Indian Commissioner's report, which has now come in, is a very biased document, and the Revenue Minister's recommendations on it are almost incredibly perverse. (He proposes, for example, to suspend two constables who fired a shot each at extreme range because they didn't kill anybody, and exonerates completely a sub-inspector who ran away and hid till the trouble was over).

4. Being directly stimulated by the press, and seeing the services discouraged and the ministry paralysed, it is small wonder that the communities are arming themselves against each other. This is ostensibly, and perhaps in intention also, only for defence purposes, but when in any area a particular community finds itself in overwhelming strength, a readiness for defence too easily passes into a

¹ L/P&J/5/181: f 55.

desire to attack. The disputes between zamindars and kisans, too, arising out of the Minister's proposals for the abolition of zamindari, are becoming in many areas an even greater source of apprehension than the communal problem. We shall be lucky indeed if we get through the next few months without serious riots and bloodshed. That is the view of the Commissioner of the Muzaffarpur Division, where the tension is greatest, and I fully share it. I am keeping General Ekin, in charge of the B[ihar] and O[rissa] Area, in close touch with likely developments: I see him regularly every week and find him most helpful and understanding. The only hopeful sign is that my Revenue Minister, K. B. Sahay, is himself at long last beginning to see the danger of hasty action and wild propaganda, and is slowing things down a bit. He doesn't now, I understand, propose to bring forward his legislation till well on in the next year, and is at least not pouring oil on the fire which he has raised. He has issued a circular asking officers to take preventive action under Section 107 of the Criminal Procedure Code where necessary, which he says will "nip the trouble in the bud" and prevent outbreaks of violence. This is somewhat inconsistent with his view of the Beniabad case, where the S.D.O. actually did take this action but is being dropped on by the Minister because it was not effective. I have told the Prime Minister that I do not regard the issue of these instructions as sufficient, and my view that the trouble has gone too far for such mild action to prevent bloodshed, and I have asked him to come and discuss the question with me.

520

*Pandit Nehru to Sir O. Caroe (North-West Frontier Province)*¹

R/3/1/92: ff 69-77

SECRET

NEW DELHI, 26 October 1946

Dear Sir Olaf,

You will no doubt appreciate that my mind has been considerably exercised by the events that took place during my Frontier visit. In spite of heavy work here and having to face difficult situations since my return, I have been thinking mostly of the Frontier and the Tribal Areas. I do not wish to come to any conclusions about the wider policy to be adopted there till I have given much more thought to the matter.

But certain immediate issues arise. The events that happened there and more specially the violence and attacks on us have agitated the public mind greatly. This is quite natural and to be expected. I have already received notice of questions in the Assembly and the matter is likely to be raised there in some shape or another. I have to make up my mind how to deal with it. I shall do so, in

so far as wider policies are concerned, rather vaguely and generally. But the question of violent attacks cannot be ignored or postponed.

I do not know what you propose to do about it or have already done in regard to it. But it is clear that when such occurrences take place there should be some proper enquiry in regard to them and action taken on the basis of that enquiry. But a certain difficulty arises. Such an enquiry, if it is to have any value, must be of a kind to inspire public confidence. If the enquiry is conducted by people who themselves are not trusted in this matter, then it does not do much good. That is for you to consider. You will realise that there is a big hiatus between you as the Governor and the A.G.G. and the Provincial Government and those whom they represent. There can be no co-operation when there is this lack of confidence in each other and a desire to pull in different directions. This is a larger question which cannot be dealt with immediately but which nevertheless affects the situation. It cannot be ignored.

Meanwhile, apart from the many other incidents that took place, one incident stands out. This is the Malakand affair in which the Political Agent, Nawab Sheikh Mahbub Ali, was particularly concerned. This was so obvious and patent that the question of enquiry even hardly arises. It has been given a good deal of publicity in the press. Some of these press accounts are exaggerated. Nevertheless there is a good deal of truth in them which cannot be denied. I was myself a witness to what happened as were several others. It seems to me impossible that Sheikh Mahbub Ali should continue in his present post. Indeed he has shown himself completely unfit for any responsible post and this matter should be taken in hand immediately.²

In spite of my many preoccupations here I have dictated a long note on my visit to the Frontier and the Tribal Areas. I am afraid this note is too long and too diffuse. It was dictated at mid-night. Such as it is I am sending it to you as it will give you some idea at least of how I am thinking.

It has been decided that Dr. Dring,³ the Deputy Commissioner of Peshawar, should be transferred. The main reason for this was that he did not have the confidence of the Provincial Government. This was evident to me from what Dr Khan Sahib told me. It seems to me the sooner he leaves the Peshawar District the better.

I greatly regret that events should have happened which have brought a certain personal element in the consideration of public problems. That is always unfortunate. But perhaps it is as well that attention should be drawn rather forcibly to these problems. This might help in their earlier solution.

Yours sincerely,

JAWAHARLAL NEHRU

¹ Pandit Nehru sent Lord Wavell a copy of this letter and of the enclosed Note on 26 October 1946. R/3/1/92: f 68.

² See note 6 below.

³ Major Dring was presumably intended.

Enclosure to No. 520

NEW DELHI, 24 October 1946

Note on my tour in the Tribal Areas of the North-West Frontier⁴
(October 16th to 21st, 1946)

My brief tour of the Tribal Areas was intended to provide me with a general over-all picture of the conditions prevailing there. I did not think that within a few days I could study local conditions with any thoroughness. But I had hoped that even a brief visit would enable me to get a background for further study of the problems of these areas. I had hoped also to meet informally some people of these areas as well as officers serving there.

2. My main object was to get material for the better understanding of these problems and then to endeavour, in consultation with others, to develop the kind of policy we should pursue in the future. It was obvious that a long-standing and complicated problem could not be disposed of easily and every attempt at solution would have to face difficulties. We had to profit by past experience which was considerable and which to some extent showed us both the advantages and disadvantages of the various policies hitherto pursued. It was obvious that that past policy had not been wholly successful, or else there would be no problem today. It had been successful in some measure and produced an unstable equilibrium which lasted for some time but was upset periodically. Apart from the success or failure of past policies, it was evident that new developments in India necessitated a new approach in many ways. Indeed the proposal to have an Advisory Committee, partly for Tribal Areas, in connection with the Constituent Assembly, itself necessitated a new approach. Far-reaching political changes in India would inevitably produce their repercussions on the Tribal people. Even apart from political changes, the dynamism which is so evident in India today and which is reflected in political and economic movements and sometimes in conflicts, would shake up the Frontier. In the past the Frontier was largely an isolated area but, whether we liked it or not, it could not remain isolated in the same sense in the future.

3. All these factors made it necessary to reconsider the problem of the Tribal Areas in this new setting. Such reconsideration would involve our relations with Afghanistan and the policy that Afghanistan wanted to pursue in regard to the Tribes on the other side of the border.

4. Last year a committee was appointed under the chairmanship of Major-General F.I.S. Tuker to consider the Frontier problem. The principal terms of reference of this Committee were to consider the reduction of the regular forces employed in maintaining order in the Tribal Areas of the N.W. Frontier and in Baluchistan. These terms of reference were rather limited in scope, but

the report⁵ is very helpful in considering the entire problem. The recommendations of this committee were not unanimous, the majority generally accepting the present set-up while the minority wanted immediate disarmament of the Tribes. In view of existing circumstances, however, we have to consider this problem in all its aspects and not merely in its military aspect.

5. I do not propose at this stage to go more deeply into this problem or to indicate what our future line of approach should be. I should like to think much more about it and to discuss it with other people who have given thought to it or who have experience of these areas. It is clear, however, that the economic aspect has always to be kept in view. While our approach must necessarily be a friendly one, it cannot be a weak one. Friendship will be understood and appreciated by the Tribal people, weakness will be misunderstood. Every approach, therefore, must have strength behind it and at the same time there should be the fullest opportunities for consultation with representatives of the Tribes.

6. In considering the future, two basic factors have to be borne in mind. (1) It is probable that land routes between India and Afghanistan will develop in importance. India, which for a long stretch of years has been more or less isolated on its land frontier, is now bound to develop closer relations with its neighbours both on the North-West and North-East. A far greater volume of trade and passenger traffic will flow in both directions. A growing air traffic across the frontiers will also make a difference. It is possible also, though this will take some time, that railway lines might be constructed so as ultimately to connect the Chinese railway system through India with the Western Asian railway system and Europe. All these factors will tend to upset the traditional economy of the Frontier Areas. They are likely to have far-reaching consequences in the social structure of the Tribes. (2) It seems to me, though I speak with partial knowledge, that a class conflict is slowly developing and will develop more in the Tribal Areas. There will be a conflict between the interests of most of the Malikhs or Tribal leaders and the greater part of the population. In a sense this will be a conflict between the haves and the have-nots. Any policy that is framed by us will, to some extent, have to take this into consideration. Do we support the existing social structure, in other words do we support the semi-feudal heads as against the mass of the population, or do we help the poorer people to progress even though this might be opposed by the Malikhs and their like? As far as I know, official policy thus far has been to deal with and support the Malikhs and we have ignored the others. Probably this was the only feasible policy in the past. It was much simpler to deal with them; but it may not be so simple in the future and we may have to choose.

⁴ A critique of this Note by Mr Weightman (apparently written at Pandit Nehru's request) will be found on R/3/1/92: ff 123-8. ⁵ See L/P&S/12/3266.

I have no doubt that we should not try to preserve in any way the same feudal structure or to help the Malikis to retain their special position where this comes in the way of the development of the people generally. Probably our system of paying allowances to the Tribes is chiefly beneficial to these Malikis.

7. This system of paying allowances has been rightly described as a kind of hush-money or blackmail. It may have been a lesser evil, but obviously it is something that is not desirable. It is often said that if a part of this money had been used for developing the area, a major change might have taken place by now. Apart from this, payment of money in this way is demoralising to the giver and the taker alike. Inevitably it leads to corruption and to a lowering of the tone of the public service. Perhaps it is difficult to stop this payment suddenly, but I have no doubt that it will have to be stopped some time or other and the money utilised for better purposes which benefit the mass of the population.

8. It is said that any educational or like approach is resented by the Tribal people as they consider this an attempt to penetrate and infiltrate. This is understandable. Probably if the approach was made in a different way and after some kind of psychological change had taken place, it could not be so resented. An immediate approach which is likely to be appreciated and to do immense good is through the films. Naturally these films will be of an educational character. They could even be used for literacy campaigns as well as to broaden the horizon of the Pathan in regard to India and the world.

9. It seems essential to me that the barriers which had been erected around the Tribal Areas preventing free movements should be largely done away with. People from the Frontier Province should be allowed to go there and people from the Tribal Areas should be allowed to come to the Frontier Province. There are some risks in this, but those risks have to be taken. With this freedom of movement a wider appreciation of each other will necessarily follow. I understand that some steps forward in this direction have already been taken. I am glad of this.

10. Most of the officers of the Political Service have been drawn from a special cadre and they have specialized in this particular work. Apparently they are interchangeable with the officers serving in the Indian States, though there is an essential dis-similarity between the two kinds of work. They have undoubtedly specialized in the Frontier areas and know a great deal about the Tribal people and their problems. Nevertheless, it seems to me that living cut off from the wider currents in India, they have become limited in outlook. As with all permanent services, they are convinced that their old way of dealing with things is the right way and any radical change will be harmful. While this applies to most permanent services, it applies in particular to those serving in

the Frontier who deal with a particular set of problems and often lack awareness of the big changes that are taking place all over the world and in India in particular. This limited outlook must come in the way of dealing with the problems in conformity with modern standards.

11. This note does not pretend to deal with any basic problem. It is just an attempt to note down some impressions. I have many other impressions and many other ideas, but I should like to consider them more fully and to discuss them with others before I say much about them. My visit, though intended for other purposes, led me into a strange atmosphere and into unexpected conflicts. For the present my mind is full of them and these experiences have naturally influenced my way of thinking powerfully. I do not propose to write in any detail about these experiences at present, but something I must say.

12. It was evident that my visit was not welcome to the officers of the Political Department. Sir Olaf Caroe had pointed out to me before I went that I had not chosen a suitable time and that I should postpone my visit. I told him then that to change my programme would have bad consequences and I saw no reason why I should do so. I was going quietly and peacefully just to meet people. While I realised then that my visit was not welcome, I had no idea that there was an active hostility to my going.

13. I found soon enough after my arrival in the Frontier that I was surrounded by a kind of hostile atmosphere. There was courtesy enough for which I am grateful, but at every step I was reminded that I had come against the wishes of the official hierarchy and that I would be responsible myself for any consequences.

14. The incidents that occurred later on during the tour confirmed this impression. I knew even before my visit to the Frontier that considerable agitation had been carried on by the Muslim League in opposition to my visit. That did not matter much though the kind of statements that were being made by certain Mullahs and others were highly provocative and false. I had hoped that the announcement of the inclusion of members of the Muslim League in the Interim Government might make a difference. So far as I was concerned, I had no desire to speak on political party issues. On arrival at Peshawar I learnt of the violence indulged in by Muslim Leaguers under the direct leadership of one of their prominent men. This was an extraordinary incident occurring as it did in an area where no such thing had happened previously, and normally the entry of people is regulated. It seemed to indicate either gross mis-management or a passive acquiescence, if nothing more, in what took place. There had been so much talk about demonstrations etc and so many warnings by officials that at any rate they should have been fully prepared.

I cannot imagine that they could not have stopped this exhibition of crude violence right near the aerodrome if they had so wished it.

15. The other occurrences that took place left a feeling of doubt in my mind. They did not appear to me to be entirely normal or spontaneous. It seemed odd that the Tribal Maliks should behave as they did unless they had been given a hint to do so. In some places I was definitely told that some relatively minor official, like the Assistant Political Agent, had deliberately told them what to say and what to do, further that he had taken good care to invite only those persons who fell in with his wishes. I had been informed of this even before the incidents occurred. I had no means of verifying all these statements, but it seemed to me after some close cross-examination that there was some truth in them. In any event there was no inherent improbability.

16. The fact that at Jhandola, where my programme had been fixed up rather suddenly, I had a warm welcome, stood out rather prominently. It contrasted with the places where my visit had been pre-arranged.

17. At the Khyber we were told that a number of mischief-makers had gathered somewhere on the road near Landi Kotal. In spite of this previous intimation, no steps seemed to have been taken to avoid the incident that occurred. When it did occur the situation was handled properly enough. It did seem to me, however, that a little foresight could have avoided it, or minimised it greatly.

18. The most remarkable incident, however, occurred just as we were leaving Malakand. We had been told previously that a group of persons were waiting outside the gate to create trouble. This information had been passed on to the Political Agent who was with us. When we started, the Political Agent's car preceded us. Immediately after emerging from the gate of the Agency, we saw two buses full of persons standing across the road and partly blocking it and about two or three dozen persons standing by the road-side. Immediately our car was stoned. The Political Agent obviously saw what was happening but he took no step. His car slowly proceeded. The men in the buses came down and surrounded our car, smashed all the glass and made a dangerous and murderous attack upon us. Meanwhile the Political Agent calmly proceeded ahead leaving us completely isolated in the hands of this relatively small and hostile crowd. Ultimately we got through when Dr. Khan Sahib took a revolver from the orderly in the car and brandished it about without firing it. The sight of this one revolver was quite sufficient to frighten the crowd who made way for us to pass. Indeed some of them were so frightened that they fell down as they were going back. This showed how easy it was to deal with this crowd. It was pure chance that we were not very seriously injured (although Khan Abdul Ghaffar Khan was badly hurt) or even murdered.

19. The behaviour of Nawab Shaikh Mahbub Ali, the Political Agent at Malakand, in these extraordinary circumstances can only be explained by one of two hypotheses: either he was completely incompetent and incapable of dealing with any situation or he approved of what took place and, therefore, did not intervene. It was stated to us by several persons that previously he had actually encouraged people to behave in this manner. But there is not sufficient proof for this so far as I know. The fact, however, remains that he behaved as not a decent individual ought to have behaved and certainly as not a man in responsible charge should have behaved. I am sorry to have to say this about an old officer in the Political Service whose guest I was for the day and night that I spent at Malakand. As a host he was very courteous and hospitable. But I have come reluctantly to the conclusion that his behaviour as a Political Agent and as one in charge of our party was disgraceful. He did not strike me as a person lacking in intelligence. Therefore it could not be just incompetence that led to his misbehaviour. Whether it was incompetence or something worse is not very important. In either event he showed himself to be completely unfit for any responsible charge.

20. Normally when such a violent incident happens there should be a proper inquiry. Whether any attempt is being made to hold such an inquiry, I do not know. Of course, an inquiry to be worth-while must be through independent persons and not those who may be under the influence of the very persons who are implicated. In regard to the Malakand incident the known and established and admitted facts are so obvious that some action is immediately needed. It is possible that a proper inquiry might lead to further incriminating evidence; it cannot lessen the responsibility for misbehaviour of the Political Agent. This particular incident, even more than others, stands out during my tour and has attracted wide-spread attention. The vast number of newspapermen with me have given considerable publicity to it. It cannot therefore and should not be ignored or minimised. The morale and prestige of the service will suffer greatly if any individual connected with it is tolerated for such patent misbehaviour.⁶

21. I have referred to the large number of newspapermen who accompanied me. As is usual with them, they have given publicity to colourful and sometimes exaggerated accounts of what happened. Sometimes entirely fictitious things have been said as when it was stated that I was going to be kidnapped. Most of these journalists were eye-witnesses and they recorded their impressions

⁶ In January 1947 Mr Justice R. Clark, Judge of the Madras High Court, was appointed by the Government of India to conduct a judicial enquiry into charges framed against Sheikh Mahbub Ali relating to his conduct during Pandit Nehru's visit to Malakand. Sheikh Mahbub Ali was exonerated in Mr Justice Clark's Report, dated 28 February 1947. Its findings were that the charges against the officer were not established. R/3/1/93.

or what they were told by others. Some of their accounts can be corrected or denied in part, but it is not easily possible just to contradict eye-witnesses' accounts even though they might be coloured and exaggerated. They were there and as newspapermen they would claim to say what they saw. While there is much exaggeration, there is a great deal of fact behind what they say and it is not easy to deny everything or to distinguish between fact and fiction.

22. I am sorry that many of the press accounts criticised and condemned the officers of the Political Service as a whole. It is always unfair to refer to a group in this way. Personally I found some excellent officers who, in spite of short acquaintance, impressed me as capable and earnest. Some other officers did not impress me at all.

23. I should like to say that the military officers who met me were very good to me and I found them as a whole a fine body of men, both Indian and English. They had their limited spheres of activity and presumably they functioned effectively. Of the civilian officers, apart from individuals who were good and others who were not so good, I have the impression that they were wedded to a system which was out of date. It was not, therefore, so much their fault as the fault of the system that they could not fully appreciate the changes that were taking place.

24. It seemed to me a wrong system for an officer to have a dual function and a dual responsibility—one relating to the Provincial Government and the other to the Governor acting as Agent to the Governor-General for the Tribal Areas. Such a dual responsibility might have functioned successfully enough when the authority at the top was the same for both purposes. In fact there was then no dual responsibility at all. But in present circumstances, when the Provincial Government is something entirely different from the Governor acting in the exercise of his own discretion, this dual function is an anachronism and must inevitably produce confusion and conflict. Indeed duality should not exist at all even at the top. This means a change in the whole constitutional structure. Meanwhile it seems desirable that in practice this duality at the top should be eliminated or at any rate greatly lessened. It is absurd for the Provincial Government to be kept in complete ignorance of what is happening in the Tribal Areas.

25. The Provincial Government in the N.W.F.P., as in other Provinces, represents a democratic form of Government. It represents a Government by the majority group or party in the Assembly which is supposed to represent a majority of the voters in the Province. In the N.W.F.P. there is at present a Congress Government. Normally, therefore, there should be harmony between not only the Government and its officials but also between the officials and the Congress Party and its leaders. It was evident that there is no

such harmony and indeed there is plenty of suspicion on both sides. It is impossible for a government to function effectively if its officials do not give it loyal service. It may be difficult to write off the past or to forget the memories of past conflicts. Nevertheless that past must not be allowed to influence the present when the whole structure has changed. My impression was definitely that even now the official hierarchy look upon the Congress not only with extreme dislike but with some hostility. They submit to the Congress Government with reluctance and do not give it the cooperation that it should receive from its officials. To some extent this is to be found, in varying degrees, in other Provinces also. But it was most marked in the Frontier Province where the traditions are somewhat different from other Provinces. The permanent official group does not think of itself as a service but rather as expert administrators and statesmen far above the strife of parties and the like. Permanent services should keep apart from party strife. But they have no business to function as superior persons. In a democratic form of government they must serve loyally whatever government is in power. During the past there has been so much conflict between these officials and the Congress that both parties are full of ill-will against each other. Statements are often made by Congress leaders and others which are not always fair to the permanent officials. On the side of the officials, action is indulged in which is unfair to the Provincial Government and more especially to the Congress Party which is supposed to control that government.

26. Everyone knows that Khan Abdul Ghaffar Khan is the leader of the Congress in the Frontier Province. Indeed he is one of the top-ranking leaders of the Congress in India and is greatly respected. Yet I found a bitter dislike of and hostility to Khan Abdul Ghaffar Khan among the senior officials. I should have thought that it was a primary duty of the officials to gain the goodwill of Khan Abdul Ghaffar Khan, both because of his pre-eminent position in the Frontier and because he is the head of the organization which is supposed to control the provincial government. Instead of this he is kept at arm's length and it is made pretty obvious that the high officials do not like him or approve of his ways. It is not for officials to approve or disapprove of democratic leaders of popular governments and Assemblies. Strong exception was taken to Khan Abdul Ghaffar Khan accompanying me during my tour of the Tribal Areas. That objection itself showed an extreme lack of appreciation of the democratic process and of the present government in the province. In a democratic form of government the leaders, whether they are in office or not, do not lose their essential identity. They have to function both as leaders of governments and as leaders of parties and of the people generally. The man who is out of office today may be in office tomorrow or, if he himself is not in office, his colleague may be there. Colleagues do not part company or

desert one another because one is in office and the other is not. Snobbery is not a virtue at any time, much less in democracy. The problems before us are essentially political and economic, but the psychological aspect of them is equally important. As between Englishmen and Indians, our past history has thrown up psychological barriers which prevent understanding. We often misjudge one another's motives and actions. Perhaps these barriers will gradually fade away when the basic causes for them are gone. Meanwhile we have to face a situation which is difficult for both and there should be forbearance on either side during this period of transition. It is clear that the English official in India will play a progressively decreasing role. Indian services will be manned ultimately by Indians alone. Because of this there is no great future in India for the British official. But India will welcome the friendly cooperation of Britishers for some time to come provided that is based on a recognition of the spirit of the times. Any attempt on the part of British officials to carry on in the old way is bound to be resented. This applies equally to Indian officials who have tried to function in the old way. Indeed an Indian official of that type has often less place in India today than a British official. There is still plenty of room in India for British officials and there is no reason why they should not fulfil an essential role in this period of transition. They will be welcomed but always on a new basis and a new association.

27. Indians must remember that British officials in India have to face a difficult situation and it is not easy for them to fit in always with changing conditions. They have often to face unjust criticism. They have the feeling that there is no special place for them in India in the future and that they are not wanted. Inevitably they seek support from one another and are rather cut off from the flowing current of national life. British officials in India should remember that India is dynamic today and her long past of suppression makes her people irritable and intolerant of those who are associated with this suppression. There is today a bubbling life in India observable even more in the common people than in the upper classes. This life often takes a wrong turn. Nevertheless it is the hope of India and any suppression of it is to do injury to India. In any event it cannot be suppressed. This fact has to be recognised and people should adapt themselves to it.

28. This note has grown much longer and has covered a wider field than I had intended when I started dictating it. It may, however, help my colleagues and others who see it to have a glimpse of my mind. This Frontier visit has added to my education a great deal. Personally I think the visit has done good in many ways. It has brought to the front not only in my mind but in the minds of others many problems which were rather covered up. That in itself is a gain. It will make both officials and the people of the Frontier Province and the Tribal Areas to think hard about these problems. A shake-up of a

placid surface may result in some unfortunate consequences, but still waters are apt to become stagnant and stagnant pools are not healthy.

29. A copy of this note should be sent to H.E. the Viceroy and to H.E. the Governor of the N.W.F.P.

JAWAHARLAL NEHRU

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/119A: ff 65-6

IMMEDIATE
CONFIDENTIAL

NEW DELHI, 26 October 1946, 7 pm
Received: 26 October, 8.15 pm

No. 2242-S. The new Members except Mandal who has not arrived were sworn in this morning. I made a short address to the new Cabinet. Before the meeting it looked as though there might be another crisis. Patel sent to me late last night a proposal that the law and order situation in Bengal should be discussed in Cabinet today and said that he and his colleagues whom he had consulted were emphatically of the opinion that the Government of India should authorise, if necessary by ordinance, special officers assisted by adequate staff and military support to proceed to and function in the areas affected, arrest and detain offenders, and take all other steps necessary to restore order. Secondly, that I should exercise my special powers and take over law and order in the affected areas, if not in the whole of Bengal, from the hands of the present Bengal Government.

2. A discussion of this proposal would probably have broken the coalition at the first meeting. It was also not constitutionally a subject for the Cabinet, unless I chose to consult them. I naturally refused to discuss the proposal in Cabinet but talked afterwards with Nehru, Patel and Rajagopalachari. I told them quite definitely that the proposal did not lie within the field of the Governor General in Council and that I was not prepared to let it be discussed. In any case from the practical point of view even the dismissal of the Bengal Government would not improve the situation and might make it worse. This argument made, I hope, some impression. Finally I told them that I proposed to go to Bengal very shortly and make my own estimate of the situation. They are obviously being very strongly pressed from outside, on the line that it is useless to have Congress in a national government unless it can protect Hindus from Muslims.

3. It had been intended to discuss in the Cabinet this morning certain

adjournment motions which will be moved on Monday when the Assembly meets. Some of these relate to Bengal and are worded in such a way as to have some chance of being admitted by the President. I did not take them in Cabinet but discussed them afterwards with Nehru and Liaquat. Nehru was quite sensible and agreed to do his best to prevent a debate on Bengal for the time being. If any motion is admitted, he will try to secure its withdrawal.

4. It has been agreed that Nehru should continue as Leader of the House in the Assembly and that Nishtar on behalf of the League should be Leader of the Council of State.

5. Thus we have survived one possible crisis, though not without a struggle, and Patel's attitude is disturbing.

522

Sir C. Corfield to Mr Abell

R/3/1/142: ff 12-15

TOP SECRET

NEW DELHI, 28 October 1946

My dear Abell,

Please refer to Scott's d.o. letter No. 681/16 dated the 26th August¹ about Berar.

2. I do not propose to burden His Excellency with a perusal of the Hyderabad Memorandum² and our examination of it at this stage. I would ask him however kindly to read Herbert's note of the 17th instant,³ which was recorded just before I resumed charge. This note summarises the questions raised and makes certain suggestions for pursuing them which do not seem to me appropriate in present conditions. Any direct approach by the Political Department to the Interim Government would I think raise suspicion, might well prejudice Hyderabad's claims and would not be likely to lead to a settlement. On practical grounds these claims are only capable of settlement by direct negotiation between Hyderabad and British India.

3. I have discussed with Rau the Berar claim, which is the most important issue, which is sufficiently *sui generis* to be treated separately and regarding which we have received a special request from Hyderabad for early discussion. A copy of Sir Mirza Ismail's letter to the Resident is enclosed.⁴ An agreed record of my discussion with Rau is also enclosed.⁵ It will be seen that it is proposed to keep the Crown Representative out of the picture for the present.

Our proposal requires consultation with the Secretary of State and a draft telegram to him is also enclosed.⁶ It may be issued if His Excellency agrees.

Yours sincerely,
C. CORFIELD

Enclosure 1 to No. 522

Note by Mr Herbert

TOP SECRET

17 October 1946

The Hyderabad Memorandum raises the questions of:—

- (1) Berar;
- (2) the Ceded Districts and the Northern Circars;
- (3) a sea port for the State and
- (4) the disputed Articles of the Treaty of 1802⁷ which it is again contended should be referred to arbitration.

2. The Northern Circars were granted to the East India Company as a free gift (inam) and no military guarantees were given in regard to them. Berar, on the other hand, is held in trust to meet the cost of defending the Nizam and the Hyderabad State from external aggression and internal disturbance. The Ceded Districts were also granted to the East India Company in return for specific military guarantees. It has recently been made clear on behalf of H.M.G. that when paramountcy ends with the interim period they will not be in a position to maintain troops in India for the protection of the States. It will therefore no longer be possible for them to fulfil the purpose for which Berar is held in trust and the Ceded Districts were assigned. The problem is what, in those circumstances, is to be the future of these territories. The Northern Circars present no difficulty for, as has been stated, no military guarantees were given in regard to them.

3. Since it will no longer be possible for His Majesty's Government to fulfil the trust or the guarantees subject to which Berar and the Ceded Districts are held the obvious course would be to return the territories to the Nizam during the interim period. It would however be impracticable to return them against the will of their inhabitants and it is by no means certain that the inhabitants

¹ An acknowledgement of a letter of 24 August from Mr Herbert promising a comprehensive note on the Berar problem in response to a request made by Lord Wavell in July. R/3/1/142: ff 9, 11.

² i.e. the Memorandum submitted by the Hyderabad Delegation to the Cabinet Mission at their interview on 17 May 1946 (Vol. VII, No. 308). A copy of the Memorandum is in L/P&J/5/337: pp. 311-16.

³ Enclosure 1 below. ⁴ Enclosure 2 below. ⁵ Not printed.

⁶ i.e. a draft (which was approved) of No. 532.

⁷ See C. U. Aitchison, *A Collection of Treaties, Engagements and Sanads* (Calcutta, 1929), vol. ix, pp. 72-4.

would favour such a proposal. Should that happen the question will arise whether the Crown should attempt to find alternative means of compensating the Nizam for the loss of the territories or should merely leave him to make such terms as he can with the Constituent Assembly or future Union Government. In view of the fact that the Crown obtained possession of the territories in consideration of an obligation which it can no longer fulfil there seems to be a duty upon it to secure for the Nizam such compensation as is possible. The most suitable means of achieving this object would be to further H.E.H.'s efforts to secure an outlet to the sea. It might be possible to obtain such an outlet at Goa. In the past the Portuguese Government were reported to be entirely opposed to the idea of parting with Goa. On the other hand there has recently been unrest there and, in the changed circumstances of the present time, they might be willing to cede the place for a financial consideration which the Nizam might be prepared to pay. The inhabitants of Goa would probably prefer an Indian to a Portuguese Government and public opinion in India also might welcome the proposal. Before making any suggestion to the Nizam however it would be necessary to ascertain the reactions of the Interim Government in British India and of the Portuguese. As a possible means of settling the questions of Berar and the Ceded Districts the Interim Government might be prepared to support the acquisition of Goa by Hyderabad and an arrangement by which goods imported at the port would be forwarded in bond to the State over a railway to be constructed at the Nizam's Government's expense.

4. Should the return of the territories to the Nizam's Government and the acquisition of the use of a port at Goa (or possibly elsewhere) alike prove impracticable the only course left would be to endeavour to secure the continuance of the existing arrangements by which the nominal sovereignty of the Nizam over Berar is recognised. In that event the Rs. 25,00,000 which are at present paid annually to the Nizam should be suitably increased in view of the fact that the guarantee of protection which he has enjoyed hitherto will cease.

5. The proposal regarding Goa may now, if H.E. approves, be discussed informally with H.M. External Affairs and, with his concurrence, the Secretary of State may be addressed and asked to ascertain and inform us whether the Portuguese Government would be likely to agree to the proposal in present circumstances. Should this seem probable discussions with Hyderabad could be begun on that basis.⁸ If, on the other hand, this proposal unfortunately proved impracticable discussions between Hyderabad and the Constituent Assembly on the other two possible solutions of the problem would take place in due course and, in view of H.M.G.'s obligation to Hyderabad in the matter, the State should receive whatever support was possible.

6. In the meanwhile it would be necessary to inform the Constituent Assembly that any decisions regarding the future administration of Berar would require the consent of the Nizam.

C. G. HERBERT

Enclosure 2 to No. 522

Sir Mirza Ismail to Sir A. Lothian

CONFIDENTIAL

No. 50-C

2 September 1946

My dear Sir Arthur,

The State desires to draw the attention of H.E. the Crown Representative and Governor-General to a point of great importance which has arisen in relation to Berar. Berar is part of H.E.H.'s Dominions and is subject to the Agreement of 24th October, 1936,⁸ being the Agreement referred to in Section 47 of the Government of India Act, 1935. That Agreement is determinable if the 1935 Act should be repealed. The position which would then arise was stated in letter of 26th October, 1936, written by H.E. the Viceroy and Governor General to His Exalted Highness, which states that, in the event of the Agreement coming to an end, His Majesty would not regard himself as entitled, without the consent of His Exalted Highness, "to make any arrangement for the administration of Berar upon a basis substantially different from that which exists at the present time."

In May of this year, the Hyderabad Delegation submitted to the Cabinet Mission a Memorandum raising a number of points which particularly affect the State in relation to the new constitutional proposals for India. Paragraphs 4 to 12 of that Memorandum draw attention to the special position of Berar in that connection.

Since submitting that Memorandum, the State has considered the Statement of the Cabinet Mission and His Excellency the Viceroy. Berar is not mentioned in that Statement, but, from the figures of representatives of the Central Provinces in the Constituent Assembly, given in paragraph 19 of the Statement, His Exalted Highness' Government conclude that such representatives are intended to include representatives of Berar and there is nothing to suggest

⁸ A letter of 8/9 October 1946 from Sir Mirza Ismail requesting H.M.G.'s support in obtaining from Portugal either the sale or the use of the seaport of Marmagoa was forwarded by Sir A. Lothian to Political Dept on 21 October. In his covering letter Sir A. Lothian said that the Govt of Hyderabad's request 'merits the most careful and sympathetic consideration despite the obviously great political difficulties in the way, as these are not likely to exceed those involved in any other solution of the question how to meet Hyderabad's legitimate claims when the paramount power resiles from its obligations under existing treaties' R/1/36/94: ff 5-7.

⁹ See *Gazette of India Extraordinary*, 13 November 1936.

that the Berar representatives will either in their appointment or authority be in any different position from those of British India.

The State is very much concerned that, without prior consultation on this point with the State and without any indication that the position of Berar differs essentially from that of Provinces of British India, arrangements should have been published for the appointment of such representatives. The State apprehends that the deliberations of the Constituent Assembly may well lead to proposals for the administration of Berar upon a basis substantially different from that which exists at the present time and that negotiations for a new constitution, without account having been taken of the sovereignty of His Exalted Highness over Berar, cannot but lead to an impairment of His Exalted Highness' rights.

The State is awaiting a reply to the questions raised in its Memorandum to the Cabinet Mission. It regards the matters raised there and in this letter as of the greatest importance and hopes that the general question of Berar may be considered and discussed with representatives of the State at the earliest possible moment and before the deliberations of the Constituent Assembly take a form which may make it difficult for His Majesty's Government to carry out the undertakings given as recently as 1936.

Yours very sincerely,
MIRZA M. ISMAIL

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Lord Pethick-Lawrence to Sir S. Cripps

L/PO/6/102c: f 18

28 October 1946

Yours from Patel¹

I don't wonder Congress are grievously perturbed about E. Bengal. But I have no reason to think that Burrows has failed to do his duty. He has an awful job and it is not rendered easier by Gandhi's disapproval of armed force to restrain evil doers or the avowed policy of Congress for the immediate withdrawal of British troops.

No doubt as so often happens Patel is misrepresenting you about Section 93. I certainly should not contemplate superseding a constitutional provincial Government except under most extraordinary circumstances and provocation—which have by no means arisen—and if it were resorted to I am convinced it would lead to far worse disorders and violence. There is no way to avoid civil war in India except by mutual accommodation between its peoples.

As to Sudhir Ghosh I rather hope he won't come here again for a bit. I found his visit rather embarrassing and he may have got a somewhat exaggerated view of his own importance as a result of coming. As I see it at present I should not feel disposed to press the Viceroy to give him special facilities a second time.

¹ Presumably No. 478.

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Sir H. Dow (Bihar) to Lord Pethick-Lawrence

Telegram, L/PEJ/8/573: f 136

IMPORTANT

RANCHI, 29 October 1946, 4.50 pm

Received: 29 October, 5.45 pm

Unnumbered. After hartal in sympathy with Noakhali victims communal rioting broke out in Chapra Saran district on 25th October, resulting in 20 deaths and 40 other casualties. In addition 2 were killed by police who had to open fire several times. Three companies of armed police and one of Gurkha Rifles are on the spot and one troop of mounted military police has been sent. Situation in Chapra now under control, but rioting has spread to neighbouring villages and official figures of deaths in Saran district are now 63. There was a communal riot in Bhagalpur town on 28th October, with 14 killed and 43 other casualties. A clash has also occurred in Monghyr, but no deaths are reported. In (omission) city there have been stabbing cases but so far no deaths and two Moslem houses burnt.

Repeated to Governor-General (Public).

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Mr Bellenger to Lord Pethick-Lawrence

L/WS/1/1091: f 197

29 October 1946

My dear Pethick,

Thank you for your letter dated 16th October, 1946.¹ I am sorry that my letter² was not clear.

The situation is that we cannot agree to India keeping British units whose total manpower exceeds the ceiling laid down by the Cabinet for India.

¹ No. 473.

² No. 419.

Broadly speaking, this ceiling has been worked out for a definite number of units at full strength. We are, however, prepared to leave the details of the organisation to the Commander-in-Chief, India, and if he wishes to have more major units at a reduced strength rather than the number contemplated at full strength, we have no objection. You will appreciate that I am not in a position to agree to his retaining any additional British units which are counted outside the ceiling.

The C.I.G.S. has already informed the Commander-in-Chief, India, of the position.³

Yours sincerely,

F. J. BELLENGER

³ On 30 October Lord Pethick-Lawrence acknowledged Mr Bellenger's letter stating that 'the arrangements you describe are satisfactory from our point of view' and on 31 October, the Government of India, War Department, was informed of the gist of Mr Bellenger's letter. F.M. Sir C Auchinleck had already indicated in a personal telegram dated 9 October 1946 to the C.I.G.S. that, if authorized to retain additional major British units within the existing manpower ceiling, he would in fact achieve this largely by dispensing with certain minor units rather than by resorting to underposting. L/WS/1/1091: ff 25-6; L/WS/1/1005: f 35.

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Note by Field Marshal Viscount Wavell

R/3/1/126: ff 101-3

TOP SECRET

30 October 1946

NOTE ON INTERVIEW WITH MR JINNAH 30-10-1946

1. I had an hour and ten minutes with Mr. Jinnah on the question of his calling his Council to accept the Statement of May 16. It was completely unsatisfactory.

2. After a few preliminaries about the start of the Assembly and of the new Government, I told Mr. Jinnah that I hoped he would call his Council at once to accept the Statement of May 16; they could of course add, if they liked, a reference to the Statement of May 25th; but it was essential that the Statement of May 16 should be accepted without further delay, and it was a condition of the League's acceptance of office at the Centre.

I said that Jinnah had told me at an earlier interview that he must have some arguments to influence the Council to withdraw their previous decision. I said that the altered facts were that the Congress had agreed that representatives of Provinces should enter the Sections; that they were prepared to agree that any doubtful points of interpretation should be referred to the Federal Court; and most important of all that the Muslim League were now in the Government

and able to influence events. I said I felt it would be impossible at present to get any further assurances from the Congress, and that I did not think it would be good tactics on the part of the League to attempt to do so. A section of the Congress might use this to give them an excuse to force the League out of the Government, into which they had not been at all anxious to accept them. I emphasised that it was impossible for His Majesty's Government to force the Congress or the League to act in any particular way; but that the only hope was that we should get along by agreement. It was to the interests of the Muslim League that the Constituent Assembly should meet as soon as possible and complete its work in the shortest possible time. HMG cannot maintain the present Constitution and remain in India indefinitely; and it was therefore in the interests of the League to get the Mission's scheme into operation as near as they possibly could.

3. Jinnah adopted a completely intransigent attitude. He went over all the old arguments, mainly to the effect that the Congress acceptance of the Statement of May 16 was not a genuine one and should never have been accepted as such. He said that the question of procedure inside the Constituent Assembly could not possibly be subjected to the decision of the Federal Court.

I listened patiently to all the old arguments on the weakness of the Mission and HMG in accepting the Congress acceptance of the Statement of May 16 (I was on rather weak ground here, since I entirely agree with Jinnah myself).

4. The main theme of a long discussion was that Jinnah could not possibly secure the acceptance of the Statement of May 16 from his Council unless it was agreed that Congress accepted the literal interpretation of the Mission's plan. He said that he was afraid that his Council would reject it and say that nothing but Pakistan would satisfy them.

I kept to the line that whatever there might be in his arguments, there were practical considerations; the best hope of avoiding civil war and getting the Muslims the best possible terms in India was to continue to carry out the Mission's plan as far as possible. Time is limited since HMG was not prepared to remain in India indefinitely.

5. Jinnah's further arguments were to the effect that the Congress leaders were completely over-rated; had simply reached the position they had because they had been to jail and were therefore martyrs; that the personnel of the Muslim League was really completely superior in administrative capacity, etc; that HMG must make up their minds and support what they had laid down. He referred as usual to the "piles of letters and telegrams" which he had received, from Muslim Leaguers, imploring him to stand firm, complaining of the numbers of Muslims who were being persecuted by the Hindus, and the failure of the Hindu leaders to condemn the action of the Hindus while carrying out propaganda against the Muslims, and so forth.

I tried to keep the discussion on practical lines of the best tactics in the existing circumstances; but his attitude was to the effect that "if HMG will not take a firm line and protect us, then leave us to our fate".

6. I am not sure how far Mr. Jinnah was taking up his usual extreme attitude before giving way, it really depends on how far the extreme element in the League Council is dominant. I think the only thing now is to tackle his lieutenants, Liaquat & Co. and see what their views are.

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/181: f 145

IMMEDIATE

NEW DELHI, 30 October 1946, 12.15 pm

TOP SECRET

Received: 30 October, 9.45 am

No. 2269-S. Please see Home Department telegrams 9168 and 9169 dated 23rd October about winding up the Services.¹

2. It is becoming increasingly clear that we must deal quickly with the preliminaries. It is not possible for the Central or Provincial Governments to decide the terms for their new Services until they know what will be the financial arrangements for winding up the existing Secretary of State's Services. Nor can they know how many officers from the existing Services they can expect to retain until the new terms have been published and considered. I think therefore that special effort must be made to get H.M.G.'s proposals ready in the next two or three weeks, and that a promise to that effect should be given now.

3. The question of the date for winding up the Services is a difficult one. The ideal arrangement would be to announce that the Services will only be wound up when the new constitution is framed. But (for both political and personal reasons) it is most unlikely that Services can be held together for as long as this and an indefinite announcement of this kind would only increase political exasperation, which was freely expressed by Prime Ministers in the recent conference, and increase the risk of friction with the Ministries on Service issues. Even if our object were to maintain for as long as possible our capacity to run a Section 93 administration, a short date would be advisable in order to limit retirements and maintain morale in the Services.

4. On the whole I recommend an answer on the following lines:

You will send the proposals of HMG within 2 or 3 weeks and thereafter

will be glad to discuss with the Interim Government the date for winding up your Services. You are ready to wind them up on grant of reasonable compensation at an early date.

5. I would say myself that till the end of 1947 is about as long as we can hope to keep the Secretary of State's Services going. A much earlier date is not likely to be suggested by the Interim Government as the Centre and the Provinces have a great deal to do before new Services can be got started.

6. I may add that there are indications here that Patel, at any rate, will be prepared to accept the principle of compensation and would be reasonably generous about it, though the reception of the proposals will depend a good deal on whether HMG seem to be anxious to meet the wishes of the Indian Ministries by winding up the Services as soon as possible. From the point of view of Finance Department and of politics there is no desire here to link the question of adequate compensation with the sterling balances negotiations.

¹ Nos 499 and 502

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Pandit Nehru to Field Marshal Viscount Wavell

R/3/1/119A: ff 89-90

17 YORK ROAD, NEW DELHI, 30 October 1946

Dear Lord Wavell,

I must apologise to you for not keeping my appointment this morning. I wanted particularly to meet you and to discuss some matters of importance. But something happened to me which does not usually happen. Various factors combined together with accumulated fatigue of mind and body knocked me over last night. There is nothing much the matter with me, but for the moment I have been disabled from attending to my work.

2. These last few days have brought with them a great deal of mental strain. We formed the Interim Government with a particular object in view. If that object recedes into the background, then no particular purpose is served by our continuing in the Government. You will remember that at every stage of our talks, and more especially when we were discussing the question of portfolios, I laid the greatest stress on the paramount importance of the Government functioning as a team and as a Cabinet. Everything else was subsidiary to this. During this week, however, new difficulties have arisen and it has been stated openly by our new colleagues in the Government that they do not subscribe to this approach of ours. Care has been taken not even to use

the word Cabinet which is now the official designation. Our usual practice of meeting together informally almost every day has not been accepted by our new colleagues. Indeed they have deliberately said that they would rather not meet us in that way. They are only prepared to meet individuals as individuals.

3. Other statements have been made which seem to indicate an entirely different approach. So far as we are concerned, we have endeavoured to say or do nothing which might come in the way of mutual understanding and joint work. It is just possible that after some days there might be more of a spirit of accommodation and cooperation. It is equally possible that this may not happen. In the latter contingency, our position in the Cabinet will become increasingly difficult, for on no account are we prepared to function there as a group facing a rival group. I think, therefore, that I owe it to you to let you know that if circumstances do not shape themselves favourably, we may find it not possible to continue in the Government.

4. This possibility is not merely based on the attitude of our new colleagues, but also on a number of other factors to which I have drawn your attention from time to time. We feel that the attitude of HMG has been rather frigid to us and has chiefly consisted in our being reminded, through you, of special responsibilities with which we have nothing to do, even though vast numbers of our people suffer horror and torment. The attitude of some Governors has also been unfortunate.

5. Sardar Patel has already informed you of the decision of the U.P. Prime Minister to resign from office unless the present Inspector-General of Police goes. There is no room for further argument about this matter. The only thing is as to whether the wishes of the U.P. Cabinet or of the U.P. Governor shall prevail. If the latter happens, then the U.P. Cabinet cannot function any more. This should be clearly understood.

6. I sent you a few days ago a copy of a note¹ which I had written on my Frontier tour. This relates to my own Department and I am particularly concerned. There were many questions about my Frontier tour in the Assembly yesterday. I tried to avoid any commitments. But I had to assure the House that there would be some kind of an inquiry which would necessarily relate to the conduct of some officers of the Political Service in the Frontier areas. In my note I mentioned one glaring case which needed no inquiry of any kind. It is essential that proper steps should be taken to deal with these matters in the Frontier, or else my position as head of this Department becomes impossible.

7. In the agenda for the Cabinet today there is the question of the Joint Consultative Committee for the States. It seems to me that the proposal, as drafted, requires further consideration and possibly changes.

8. In the course of your correspondence with Mr. Jinnah, which has been

recently published, you stated that you were prepared to offer the Deputy-Chairmanship of the Cabinet Coordination Committee to a representative of the Muslim League in the Cabinet. That offer was made in a particular context and I take it that it does not apply now. I would not be agreeable to any change in the Deputy-Chairmanship at this stage when even the conception of joint Cabinet working is not accepted. Certain changes in the composition of the CCC will have to be made. I suggest that, apart from you and me, the following persons should form the CCC:- the Home Member, Sardar Vallabhbhai Patel; the Industries and Supplies Member, Dr. John Matthai; the Education Member, Mr. C. Rajagopalachari; the Finance Member, Mr. Liaquat Ali Khan; and another representative of the Muslim League according to their choice.

9. I must apologise to you again for falling ill when I have no business to do so.

Yours sincerely,

JAWAHARLAL NEHRU

¹ Enclosure to No. 520.

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Field Marshal Viscount Wavell to Pandit Nehru

R/3/1/119A: f 91

30 October 1946

My dear Pandit Nehru,

Thank you for your letter of the 30th October.¹ I am very sorry you should have succumbed temporarily to the great strain you have been undergoing, and I hope you will soon recover.

2. I am sure that a spirit of accommodation and cooperation in the Cabinet can be created, if we are patient and give time a chance to do its work.

3. I do not think HMG have been frigid. You know how keen they are, collectively and individually, to see India achieve her freedom. At the same time they are determined to maintain the existing constitution during the interim period.

4. I have written to Sardar Patel² about the case of the Inspector General of Police in the United Provinces. I support the Governor in standing firm on the point of principle involved—namely that correspondence between Government and Police officers must be through the head of the department—and in

¹ No. 528.

² R/3/1/191: f 91.

deciding that the Inspector General had committed no such fault as would justify his being compelled to resign. But I should be very sorry indeed to see the United Provinces Ministry go out on this issue, and I hope that Pandit Pant may be persuaded to see the other point of view.

5. We must discuss the Frontier when I get back from my tour. I have already told the Governor that the Malakand incident seems to need investigation. I intend to visit the Frontier myself during November.

6. We had a very interesting and useful discussion about the Joint Consultative Committee and agreed to reconsider the proposal.

7. I am quite clear that I must give the Deputy Chairmanship of the C.C.C. to one of the League representatives. It is right on the merits; I am committed to it; and I certainly understood you had agreed.

8. I hope you will have a quick recovery, and we will discuss matters on my return from Bengal.

Yours sincerely,

WAVELL

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Master Tara Singh to Field Marshal Viscount Wavell

Wavell Papers. Political Series, June–December 1946, pp. 295–6

30 October 1946

I read your letter dated 4th October¹ to Mr. Jinnah in reply to his letter² I feel very much astonished upon your reply of the point 6 of Mr. Jinnah's letter. The Congress and the Muslim League are free to nominate their own representatives. But in case of the Sikhs, you do not give the same right to the Shiromani Akali Dal, the representative body of the Sikhs. The last elections of the Central and Punjab Legislative Assembly were fought by the Shiromani Akali Dal against the Congress upon this issue alone. The Congress was defeated in both the elections, and yet it seems that you do not recognise the Shiromani Akali Dal as the representative body of the Sikhs. In the Gurdwara elections which are being fought, no party has dared to put up its candidates against those put by the S.A.D. Of course, there are candidates fighting against the S.A.D. and supported by disgruntled elements amongst the Sikhs, but they are not fighting under the banner of any party, and the fight will not be serious one. S.A.D. will certainly gain more than 80% seats.

On the other hand, you agree to consult the Congress and the Muslim

League both while filling a Sikh vacancy if it occurs. This is highly unfair to the Sikhs. The case of the Sikhs is not at par with that of the other smaller minorities. The Sikhs have been recognised as a separate entity and they have got their own representative organisation, which has established its right. The Christians and the Parsis have never so far fought a single legislative seat upon the ticket of any organisation of theirs and they may not be treated as independent entities. But the case of the Sikhs is quite different. They have always fought legislative elections upon the ticket of their own organisations and their representatives were elected upon the ticket of one or the other party of their own.

If a Sikh Executive member is to be appointed with the consultation of the Congress and the Muslim League, the gentleman may be a good Sikh, but he will not be a Sikh representative. It appears that the Sikh aspirants of the Executive Council membership will have to flatter the Muslim League and the Congress just in the same way as the aspirants from all the communities have been so far flattering the English officials.

I, therefore, request you to modify your decision, and assure the Sikhs that the Sikh Executive member will in future be appointed upon the recommendation of the Sikh representative body, and that no non-Sikh organisation will have any say in the appointment of the Sikh Executive Councillor.

¹ No. 404. ² No. 400.

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Field Marshal Viscount Wavell to Mr Attlee

R/30/1/8a: f 41

TOP SECRET AND PERSONAL

THE VICEROY'S HOUSE, NEW DELHI,

30 October 1946

My dear Prime Minister,

I am wondering whether you received my letter¹ of August 28, since I have had no reply to or acknowledgment of it. I said in it that it was essential that I should know your mind more fully as regards India, and that I should have a definite policy. I have recently sent home a letter dated the 23rd October² to the Secretary of State in answer to criticisms³ of the proposals I put forward in my paper of the 7th September.⁴ In this last letter I have asked certain specific questions, and I hope that I may receive replies to them urgently.

The situation out here is tense and we may be faced with a crisis at any time.

¹ No. 212.

² No. 501.

³ No. 379.

⁴ No. 286.

I am sure that we cannot safely continue to drift without a clear idea of how and when we are to leave India.

Yours sincerely,
WAVELL

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Field Marshal Viscount Wavell to Lord Pethick-Lawrence

Telegram, R/3/1/142: f 18

EXPRESS

NEW DELHI, 30 October 1946, 5 pm

SECRET

No. 2270-P. Reference paras. 4-12 of Memorandum¹ presented by Hyderabad Delegation at interview with Viceroy and Mr Alexander on 17th May.² Hyderabad Government have recently addressed Resident³ expressing concern at neglect of Cabinet Mission to consult them before including Berar representatives in Constituent Assembly. They intimate that they are awaiting a reply to questions raised in Memorandum and suggest discussion of Berar issue "at the earliest possible moment and before the deliberations of the Constituent Assembly take a form which may make it difficult for His Majesty's Government to carry out the undertaking given as recently as 1936."

2. If conflict is to be avoided when paramountcy comes to an end and the 1936 Agreement falls into abeyance, understanding about future administration of Berar must be reached during interim period. Principal parties to such understanding must clearly be Hyderabad and British India. Corfield has consulted Rau who agrees that Hyderabad might reasonably be asked⁴ to discuss problem with British India portion of Constituent Assembly or with a Committee authorised thereby. It is suggested that present attitude of His Majesty's Government towards Berar issue should be:- "His Majesty's Government believe it possible for Hyderabad to come to some mutually satisfactory agreement with British India in regard to Berar. The question of His Majesty's Government's position in regard to this issue will be considered if there is failure to reach such agreement."

If this approach to problem is approved Hyderabad will be addressed after Rau has consulted Nehru informally. Telegraphic reply is requested.

¹ L/P&J/5/337: pp. 311-16.

² Vol. VII, No. 308.

³ See Enclosure 2 to No. 522.

⁴ The words 'that Hyderabad might reasonably be asked' were omitted in the decipher.

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*Field Marshal Viscount Wavell to Lord Pethick-Lawrence**Telegram, L/PO/10/26*IMPORTANT
CONFIDENTIAL

NEW DELHI, 30 October 1946, 11.5 pm

Received: 31 October, 2 am

No. 2280-S. I last reported on the Measures case in paragraph 3 of my letter of the 16th October.¹ A settlement has still not been reached and Pant has asked to be relieved of office preferably by 1st November. Nehru implied recently that the Congress might resign from the Central Government also on this issue, but in a letter² received today says only that the U.P. Government will resign.

2. Wylie meets Pant on the 1st November and will discuss the case. We cannot compel Measures to remain in service if he wishes to resign, but it is a serious matter to acquiesce in his being forced to resign on account of a minor error of judgment for which he has apologised or to give way on the principle that correspondence between Ministers and police officers must be through the I.G. of Police as Head of the department.

This is beyond doubt a test case. If Measures cannot be protected your protection of the services is proved to have ceased. I have done all I can by discussing the case with Nehru and Patel but without effect. I propose to stand firm and if necessary let the U.P. Ministry resign, unless the Governor can settle things with Pant. I do not know whether the Governor could reform the Ministry and this is a point I will take up with him.

¹ No. 469, the date should be 15 October.² No. 528

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*Field Marshal Viscount Wavell to Lord Pethick-Lawrence**L/PO/10/23*

PRIVATE AND SECRET

THE VICEROY'S HOUSE, NEW DELHI,
30 October 1946

Many thanks for your letter of the 18th October.¹ I hope your congratulations about the coalition will not prove to have been premature. It is going to be a very difficult task to keep it together. As I reported to you by telegram²

¹ No. 477.² No. 521.

Patel suggested a discussion, at the very first meeting when the new Members were sworn in, of a proposal that the Centre should practically take over charge in Bengal in spite of the constitution, and that in any case I should have the Bengal Ministry dismissed. One cannot imagine anything more calculated to give the coalition Government a thoroughly bad start than the discussion of such a proposal. I naturally refused quite definitely to place the matter before Council. But it involved 40 minutes of not always pleasant discussion with Nehru, Patel and Rajagopalachari, the latter trying to prove legally that Cabinet were entitled to discuss the matter. The sapping process will go on; there is hardly a day passes without Congress trying to arrogate to itself some further part of the Governor-General's powers; and some day there will have to be a show-down.

2. Meanwhile the Assembly has started and it is something that Nehru and Liaquat are sitting together on the same bench with the next bench to their right accommodating Chundrigar, the Muslim League leader from Bombay, sandwiched between Patel and Asaf Ali. Correspondents were however quick to notice that Nehru and Liaquat hardly exchanged a single word up to lunch time. The reason I gather is that Nehru asked the Muslim League Members to come to a joint discussion of Assembly business this morning, before the morning's Session, and Liaquat refused. It is of course impossible to do business in the Assembly if the Members of the Cabinet on the Front Bench do not discuss things among themselves. But I think things may improve under pressure of events. On the first afternoon Matthai backed up with a good speech a speech by Liaquat on a resolution on Bretton Woods.

3. I sincerely hope the two blocs in the Cabinet will find some way of adjusting their views before the Cabinet meetings. Liaquat has made it clear that the Leaguers will not attend the "tea party" Cabinet meetings, and that they will consider among themselves the line to be taken on proposals before the Cabinet. It will be tiresome if irreconcilable and unchangeable views are brought forward by the two leaders at each Cabinet meeting. However here again things may improve with time.

4. Liaquat Ali Khan was quite sensible at a Press Conference³ after the swearing-in, though he made it clear that there was no question of accepting the leadership of Pandit Nehru. I send in this bag an account of the Press Conference from the *Statesman*.

You may be also interested in the front page from *Dawn* of the 26th October.⁴ With your recollection of all the discussions about parity, the nationalist Muslim, representation of Minorities, and so on, you will appreciate the way in which *Dawn* has set out the photographs of the Members of the Interim Government with Asaf Ali described as the odd man.

The distribution of portfolios in the Interim Government is of course based

on political necessity and not on efficiency. It is particularly unfortunate that we should lose Matthai from Finance as he has proved himself, though sometimes a little weak, a knowledgeable and sensible Finance Member. Liaquat seems sensible but so far as I know he has no particular knowledge of Finance. However, all I could do was to accept any arrangement that the parties would accept and hope for the best. It may be that some redistribution can be arranged later.

5. As you know things have been bad in Calcutta recently and I understand that the initiative is with the extremist Hindus who probably want not only to take revenge for what has occurred in East Bengal, but also to support the strong campaign by the Congress for the removal of the Bengal Government. There is no doubt that the Congress have played up the occurrences in East Bengal quite deliberately for political reasons, and though no one can defend what occurred or acquit the Muslim League of all blame, it is exasperating that additional fuel is being added to the fire for purely party reasons. I am going to Bengal on Thursday to see things for myself.

6. I had intended to go out on Sunday for a day's shooting but the Calcutta disturbances decided me to stay and to try to get a joint appeal for communal peace put out signed by the party leaders and myself. I had this idea put to Nehru and Liaquat. But after a party meeting Nehru suggested that either all the fifteen Members of the Cabinet should sign the appeal (so as to avoid giving Liaquat any appearance of equality with himself in the Cabinet), or that it should be put out over the names of myself, Gandhi and Jinnah. When this latter proposition was put to Gandhi and Jinnah both of them declined to agree, Gandhi because he said he had no representative status, and Jinnah because he thought that the moment was not opportune.

I therefore arranged to broadcast a personal appeal next evening. This was stated to be on behalf of myself and my Government and both Nehru and Liaquat accepted the text, of which I enclose a copy in this bag.⁵ I hope that this may do some good, but what is really wanted is more outspoken condemnation by the party leaders, and more evidence that they are prepared to practice what they preach.

7. To return for a moment to the Assembly. The President wisely disallowed certain adjournment motions about Bengal, but during the short debate on admissibility Vallabhbhai Patel stated that it would be best if the House did not take a definite view on this question of discussing Provincial matters since the constitutional position was under evolution. This is typical of Patel's attitude

⁵ The text of Mr Liaquat Ali Khan's Press Conference is printed in L/PO/10/23.

⁴ Not reproduced in L/PO/10/23.

⁵ Not printed.

which is of course that power should be won by the Congress in the interim period, and not negotiated for in the Constituent Assembly.

Incidentally the Congress Working Committee's resolution⁶ about communal riots in Bengal, of which I send a copy, appeared on the very day when the new Cabinet was sworn in, and is typical of the atmosphere of hostility in which the Interim Government had to be re-formed. You will see that the Congress held the outburst of brutality to be the direct result of the action of the Muslim League.

8. You will I think have received from Caroe a copy of his report⁷ on Nehru's tour of the Frontier. You will see what a dangerous and foolhardy escapade it was. Nehru himself has written a long note⁸ on his experience which shows him at his worst. He seems to be incapable of realising that the Frontier is something outside his ordinary political experience, that it is dangerous material to handle on doctrinaire lines, and that the Pathan is a very great deal more democratic than the Congress. The Political Officers were made the scapegoat, and it was alleged by Abdul Ghaffar Khan and Mehr Chand Khanna that it was they who organised the very hostile reception that Nehru received almost everywhere. It is perfectly clear that the real representatives of the tribes were present in the jirgas, that there was no official propaganda except on Nehru's behalf, and that had it not been for the efforts of the Political Officers some of the jirgas would not have turned up at all. On the whole the military and the civil authorities seem to have done very well, and it is due to them and to good fortune that Nehru was not more severely injured. A very mild little Hindu press photographer who sometimes goes round with me on tour told Abell that during the fracas outside Landikotal a bullet from one of the tribesmen passed within an inch or two of his nose when he was sitting in a car which was part of the convoy. Again near Malakand, Nehru was undoubtedly lucky to escape, and the Malakand incident does appear to need some investigation as proper precautions do not seem to have been taken. I shall go to the Frontier shortly and without attracting too much publicity, or trying to appear as though I was seeking to obliterate the impression left by Nehru, I shall take opportunities of restoring the morale of the Political Officers, and discussing the whole situation with Caroe.

Undoubtedly Nehru would be well advised to leave the Frontier alone for the time being, and not stir up trouble there when there is so much trouble elsewhere.

9. At the last Cabinet Meeting before the Interim Government was re-formed it was decided that nine Gurkha battalions should be employed in the future Indian Army, and be officered by Indian officers. The Cabinet were against His Majesty's Government employing Gurkhas but recognised that the matter must be dealt with in tripartite negotiations between Nepal, India and His

Majesty's Government. I think the objection is primarily due to the feeling that Gurkha troops will inevitably be used in colonial territories, "to support imperialism", and is understandable in the present atmosphere.

[Para. 10, on an honour for Sir H. Knight, omitted.]

11. You mention in your letter having met a young man called Zakaria at a meeting of the London Majlis. The magazine '*Blitz*' of which he is the correspondent is, I believe, shortly to be suppressed. It is a particularly poisonous communist paper, which supported the R.I.N. mutiny and is subversive of all discipline in the Armed Forces. One of Zakaria's reports from London which was printed includes the following:—

"There is trouble brewing here for India's Soldier—Viceroys. Labour M.P.s, have given me categorical assurances that the Nehru Cabinet will receive the fullest support from the Parliamentary Labour Party. Under no circumstances will the Party allow a crisis to develop in India against Nehru."

The paper recently in an editorial said:—

"Lord Wavell was compelled to take in Nehru and his colleagues as 'unwanted guests', but he has never been able to reconcile himself to the new arrangement, which he has sought—willy or nilly—to sabotage at every step."

[Para. 12, on the Indian Art Exhibition in London, omitted.]

13. I am grateful for your *amende honorable* about Ghosh; but he is not going to allow himself to be "faded out" if he can help it. I think my staff sent home last week a newspaper cutting of a statement he made in Bengal, which implied that he was fully in the confidence of His Majesty's Government, and thus entitled to give advice to the Governor. But I am told he was rather more subdued than last time when he called in on my staff the other day.

⁶ The operative portion of this resolution read. 'The Committee hold that this outburst of brutality is the direct result of the politics of hate and civil strife that the Muslim League has practised for years past and of the threats of violence that it has daily held out in the past months. The chief burden for permitting a civil calamity of such proportions to befall the people of the province must rest on the provincial Government. Further, the Governor and the Governor-General, who claim to possess special responsibilities in such matters, must also share the burden for events in Bengal.' L/PO/10/23.

⁷ No. 498. ⁸ Enclosure to No 520.

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Lord Pethick-Lawrence to Mr Attlee¹

L/P&J/10/84: ff 22-7

INDIA OFFICE, 31 October 1946

Secretary of State's Minute: Serial No. 71/46

Prime Minister.

I attach a telegram² which I have received from the Viceroy today from which you will see that a situation has arisen in which there is considerable possibility that the Congress Ministry in the United Provinces will resign. It is possible that this might have further repercussions on the attitude of Congress generally.

The point in dispute between the United Provinces Government and Sir Francis Wylie, the Governor, and the Viceroy is briefly as follows. The Home Minister of the U.P. began in August last to issue instructions to District Officers of the Police direct and not through the Inspector General of Police. Provincial Regulations require that all communications from the Government to subordinate police officers should go through the Inspector General. This is clearly necessary if discipline is to be preserved and if the Inspector General is to have any effective control of his Force. The Inspector General, Sir Philip Measures, issued a circular to his officers saying that when they received direct communications they should acknowledge them and send the reply through the Inspector General. Though no doubt right on the principle, the Inspector General might have been more tactful. His action gave considerable offence to the Ministers who wished to amend the Police Regulations and have the Inspector General's circular withdrawn. The Governor resisted this with the Viceroy's support and eventually, on the 10th September,³ Wylie declined to accept the Ministers' advice on this subject. Pant, the Prime Minister, is known to have taken the matter up with Nehru in September and when he returned to his Province appeared to be ready to drop the matter. Early in October, however, Pant sent for the Inspector General of Police⁴ and told him that he must—

- (i) Write a letter to the Secretary of the Home Department asking him to withdraw a note which he had sent to the Home Minister on the 6th July;
- (ii) Withdraw the circular letter to Superintendents of Police which had given offence;
- (iii) Order all Superintendents of Police to reply immediately direct to Ministers in all cases where they have been addressed direct;
- (iv) Write to the Prime Minister giving him an assurance that he (the Inspector General) would not repeat anything in the nature of the letter referred to.

The Prime Minister informed Measures that when this had been done the Government would publish all the letters written under (i) to (iv) above by him in the Press. Thereupon Measures informed the Governor⁵ that he wished to resign.

The Prime Minister did not tell the Inspector General that the Governor had rejected the ministerial advice about the amendment of the Police Regulations and was opposed to direct correspondence between Ministers and subordinate police officials. Measures in his letter asked to be relieved of his duties on the ground that he felt that he had not the confidence of the Government. He has, however, informed the Governor, on being asked directly by him for the reasons why he has resigned, as follows:-

- (a) He would have no objection at all to writing to the Secretary of the Department and asking him to withdraw his note to the Home Minister which is complained of or to expressing regret for having issued the letter to the Superintendents of Police without first obtaining Government approval. He has, in fact, already expressed such regret verbally. If the Government issued a general directive to all Departments on the subject of direct correspondence between Ministers and subordinate officials he would have no objection to referring the Superintendents of Police to that directive and instructing them to treat his circular letter, which is the origin of this trouble, as cancelled.
- (b) He could not, however, agree to the publication in the Press of the letters which he has been asked to write as they would, in his opinion, lower his prestige with the Police Force and would humiliate him unfairly, not only in the eyes of his subordinates but also of the public.

Wylie has declined to accept Measures' resignation. Meanwhile, on the 9th October,⁶ Nehru wrote to the Viceroy giving a very one-sided account of these events and complaining that the Governor had refused to allow Measures to resign. In this letter he says that he does not wish to go into details on the merits of what has happened: "One thing is clear that Sir Philip Measures ceased to have the confidence of the U.P. Ministry and ultimately said that he would take leave preparatory to retirement. When everything was fixed up the Governor

¹ The copy of this minute on the India Office file is unsigned. The relevant file of the Prime Minister's Private Office has been destroyed, but it is evident from a log of this file that Lord Pethick-Lawrence's minute was sent and received. R/30/1/8: ff 118-19

² No. 533.

³ The date should be 9 September. L/P&J/10/84 ff 39-40.

⁴ In fact this interview between Pandit Pant and Sir P. Measures took place on 18 September at the latter's request. Wavell Papers, Official Correspondence. India, January 1946-March 1947, pp. 159-66.

⁵ Sir P. Measures' letter of resignation, No. 0-1764 of 19 September 1946, was in fact addressed to Pandit Pant. *Ibid.*, p. 164.

⁶ No. 420.

then intervened. It is impossible for any Government to be carried on in this fashion". Nehru concluded his letter by saying that if this question could not be otherwise resolved either the Governor or the Ministry must go. He then complained that the Governors of Bengal and Sind were not exercising their special powers, while those in the Congress Provinces were exercising them in matters of detail.

Until today I had every reason to hope that this matter would be settled amicably. It is still possible that this will be the case. I agree, however, with the Viceroy that it is a test case in the sense that, if Sir Philip Measures is forced to resign by being required to humiliate himself in the way demanded, then the protection for European members of the Secretary of State's Services will cease to have any effect or meaning. I would therefore propose to send the attached telegram to the Viceroy this evening.⁷

The Viceroy informed Nehru on the 11th October⁸ in reply to his letter, to which I have referred, that he had been consulted by the Governor of the U.P. throughout and had approved his action in this case. I do not think that Wylie could remain in office if he were ordered to give way over this matter now and I am not at all sure that the Viceroy would accept such a decision. Apart from this aspect of the case I think that on merits we must maintain the position that the Interim Government is not entitled to advise how the Governor-General's powers of supervision over Governors of Provinces are to be exercised as this principle is of great importance in regard to Bengal and other Muslim Provinces.

Enclosure to No. 535

DRAFT TELEGRAM

From: Secretary of State.

To: Viceroy, repeated to Governor of United Provinces.

MOST IMMEDIATE

Your telegram 2280-S. United Provinces situation. Hope very much that resignation of Ministry will be prevented by compromise solution if possible but if that proves impossible I accept your decision to support Wylie.

⁷ Mr Attlee does not appear to have sent a written reply to this Minute, but it is evident that a meeting was held on 31 October as a result of which No. 539 was sent instead of the attached draft telegram. R/30/1/8: f 118.

⁸ No. 427.

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Sir E. Jenkins (Punjab) to Field Marshal Viscount Wavell (Extract)

L/PEJ/5/249: ff 34-5

SECRET

31 October 1946

No. 630

3. The prominence given by the Hindu Press to what appear to be one-sided and exaggerated accounts of the disturbances in East Bengal is wicked, and I am afraid that the Congress and Mahasabha leaders are largely responsible for it. The students of the D[ayanand] A[nglo] V[edic] and Sanatan Dharam Colleges in Lahore celebrated "Noakhali Day" on 29th October, and took out a procession which shouted the most provocative slogans, including one which may be translated "blood for blood". The students wanted to march through the city, and were restrained from doing so with some difficulty. In the end they dispersed quietly; but there is no doubt that had they carried out their original intention, we should have had a serious riot. People of good education and standing, such as Sir Gokal Chand Narang, a former Punjab Minister, are responsible for whipping up anti-Muslim feeling. It has been suggested to me that in Lahore the Hindus now feel that they are well prepared and wish to provoke a conflict. I can hardly believe that this is true; but the intemperance and irresponsibility of educated people, including I am afraid some members of the teaching staff of the University, are almost incredible.

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Sir D. Montearth to Major-General Sir L. Hollis

L/PEJ/10/120: ff 17-19

TOP SECRET

INDIA OFFICE, 31 October 1946

My dear Hollis,

I write to thank you for your letter of the 4th October¹ forwarding a report on the Military Considerations in regard to a future Treaty with India and giving the views of the Chiefs-of-Staff on this subject.

2. In paragraph 3 of your letter you say that the Chiefs-of-Staff wish to re-emphasise their previously expressed opinion that, from the military point of view and on grounds of our future strategy and the security of the British Commonwealth, our aim must be to retain India constitutionally within the British Commonwealth of Nations and to direct all our endeavour towards persuading her to this end.

¹ No. 408.

3. In the first place, I must emphasise that it would be unwise to place reliance on the prospect of India as a whole being willing to remain in the British Commonwealth. (I say "as a whole" because, if India were to split up into two or more parts, the Muslim areas and the States would probably be anxious to remain in the Commonwealth—if, in such circumstances, we were willing to have them). Such indications of the probabilities as we possess at present are all to the contrary. Pandit Nehru's speeches on the policy of the new Interim Government since it took office have all emphasised their intention in the field of foreign policy, to maintain an independent attitude and to avoid becoming involved with any major bloc.

4. If, however, India as a whole could be persuaded to remain within the British Commonwealth, it would still be quite uncertain whether we should in fact receive the same co-operation from India as we get from the four major Dominions. The unwritten and yet reliable bond which exists between those Dominions and this country is based upon a common allegiance to the Crown, common Anglo-Saxon, or at any rate Western European, origin, and common ideals and reactions to events in world affairs. It is these intangible factors which make it possible for the foreign policy of the Dominions and ourselves to be conducted, in general, on a harmonious basis and for us to rely on the support of the Dominions in an international crisis, and in time of war (though even so, I think I am right in saying that in the period between the wars, the indefiniteness of what we could expect from Dominions in the field of Defence was a source of considerable anxiety). In the case of India none of these ties of sentiment and allegiance apply. In their place is, in the dominant political elements, a strong antipathy to British rule. Even if India remained in the Commonwealth it is quite possible that in a crisis she would prove to be no more co-operative than Eire, for her actions would be determined by her own Government's conception of India's interests. Thus India might, in view of her position and importance, become a factor of positive weakness to the Commonwealth in the international field by her failure to co-operate. We have an indication of the probability of this in the dispute between India and South Africa which is on the agenda of the present meeting of the United Nations Assembly.

5. No doubt if India were *spontaneously* to ask to stay in the Commonwealth that would indicate a readiness to co-operate fully in Commonwealth Defence. But this is most unlikely, and, in view of the above considerations we feel very doubtful whether any satisfactory arrangement is to be found by *persuading* India to stay in the Commonwealth [because] it would be unwise in India's case to rely entirely upon the resultant undefined relationship for the collaboration in foreign policy and defence that we need. I am taking up the broader aspects of this question with the Dominions Office and Foreign Office² and

will let you know the result later. I will only say here that I think it is arguable that we might get more out of India as a foreign country like Egypt than as a member of the Commonwealth like Eire. India seems to me practically certain to insist upon having the external attributes of a foreign country, but she may have the sense to preserve a more intimate connection with us than normally exists between foreign countries.

6. Experience seems to show that in the matters in question a Treaty relation with a foreign power can be of considerable value. If we could make a Treaty with India which gave us the right to go to her assistance in time of threatened attack and secured that facilities for effective assistance by us were maintained in India in peacetime, we should be in a much stronger position to take military measures in India when the need arose, even against the general view of the Indian Government of the time, unless of course such opposition were so considerable that our entry would be actually resisted. The provisions of the Egyptian Treaty on which we relied in the last war were, I understand, secured not without considerable pressure on our part; but, in fact, they gave us a right of entry of which we were able to make full use to everybody's advantage, including that of Egypt. Contrarywise, in the case of Eire, having no Treaty rights in respect of the southern ports, we were debarred from using them at a time when they were almost vital to our existence. During the two world wars we have been fighting on the side of international order and have necessarily been reluctant to take by force what we require. Consequently what we can claim as of right may be all-important. When the foundations for it exist, no doubt goodwill may be worth more than a contract: but surely a contract can be of great value even though it is more the result of hard bargaining than of goodwill. It might be that in the case of India, where there is a tendency for legal documents to be highly respected, a Treaty right would be of much greater value to us than an indeterminate Commonwealth connection resting upon the sort of sentiment and goodwill which exists between the Dominions and ourselves but hardly exists between India and Great Britain.

7. I share the view of the Chiefs-of-Staff in paragraphs 5, 6 and 7 of your letter that it would be better for any actual formal Treaty with India to be in general rather than specific terms so far as concerns collaboration in Defence. I quite appreciate that the wording as suggested is open to legal modification, but there is one point of substance in sub-paragraph (c) of paragraph 7 of your letter on which I shall be glad of further information. That paragraph would appear to oblige India to come into any conflict in which we are involved as a result of aggression. On the other hand, the report annexed to your letter contemplates in paragraph 12 that while we should seek to obtain a general undertaking of this kind we should accept, if necessary, no more than agreement

² See Enclosure to No. 409 for draft. The letter as issued on 8 November will appear in Vol. IX.

by India to undertake primary responsibility for her own defence and to participate actively in the event of a threat developing in the neighbouring territories: but that intermediately, an attempt might be made to secure India's agreement to render active assistance in the event of war in the Middle East or South East Asia. Is paragraph 7 of your letter intended to supersede the recommendation in the report? I ask this question because an essential thing from our point of view is to know what is the minimum obligation by India, in return for the assistance we can offer, which would make it worth our while to have an agreement with her.

8. As I read your letter and the report, the main conclusion to be drawn from the examination of this subject by the Chiefs-of-Staff, is this. India is still vital to our system of defence, and that system would cease to be a sound one if we failed to secure by some means or other the requirements set out in paragraph 15 (b) of the report: whether India stays in the Commonwealth or not, whether what we require is secured by specific agreement or by relying upon Commonwealth co-operation, our security would be compromised without it: there may be better ways of securing the detailed military conditions than by trying to have them embodied in a formal treaty: but if our strategic position is not hereafter to be placed in serious peril, we must be assured that one way or another these detailed military conditions are in the end forthcoming. If this is a correct interpretation of the Chiefs-of-Staff's opinion, then, I submit, it is for the Chiefs-of-Staff to impress that fact on Ministers and for Ministers to decide how such an assurance can best be obtained.

9. The matter of the Andaman and Nicobar Islands referred to in paragraph 8 of your letter presents considerable difficulties because these Islands have long been recognised as Indian territory. It is unlikely that India will be willing to forgo the sovereignty of these Islands; and I should be glad to know whether the Chiefs-of-Staff consider that the essential requirements could be obtained under an arrangement by which we were able to lease bases in these Islands for a long period of years.

10. The India Office will, as desired, consult the Chiefs-of-Staff again before draft military clauses of the Treaty are submitted either to the Cabinet or the Defence Committee.³

Yours sincerely,

D. T. MONTEATH

³ On 22 November 1946 Lieutenant-Colonel T. Haddon replied to this letter. He said the Chiefs of Staff had taken note of Sir D. Monteath's arguments against India being persuaded to remain in the Commonwealth but wished to record that they were in no way committed to agree to them. With reference to para. 7 of Sir D. Monteath's letter, Lieutenant-Colonel Haddon stated that para. 7 (c) of No. 408 was not intended to supersede the recommendation in the Chiefs of Staff's report. He also stated (para. 9 of Sir D. Monteath's letter) that the question of the Andaman and Nicobar Islands was still under consideration. L/P&J/10/120: ff 7-8.

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*Field Marshal Viscount Wavell to Sir F. Wylie (United Provinces)**Telegram, R/3/1/191: f 107*

CONFIDENTIAL

1 November 1946

No. 167-S.C. I have just received news¹ that Patel sent for my Secretary, Public, in Delhi about the Measures case and told him that Pant would definitely resign on this issue, and that such resignation would be followed by other Congress ministries in the Provinces and by Congress Members of the Interim Government. Patel said that Pant did not wish to see you again about it, but had been told to do so by the High Command, being instructed at the same time not to give in.

2. There may be an element of bluff in this, but I cannot lightly contemplate possibility of resignations. I am clear that we have been right to stand on the manner in which Measures' resignation was obtained, but equally it is not possible to continue in office an I.G. of Police whom the Provincial Ministry do not wish to have. In seeing Pant today I hope you will try to secure a settlement on the lines of vindicating Measures' conduct and securing principle on which original dispute arose but I feel, you will have to accept the fact that he resigns.²

Repeated to P.S.V.

¹ Lord Wavell was in Bengal. He received this news in P.S.V.'s tel. 2289-S sent from New Delhi on 1 November at 10 16 am. R/3/1/191: f 104.

² Questions of timing are of some interest here. Lord Wavell would appear to have despatched this telegram to Sir F. Wylie before receiving No. 539 while Sir F. Wylie did not—so much is clear—receive it until after his interview with Pandit Pant, though, unlike the Viceroy, he had almost certainly received No. 539 (which was repeated to him direct from London) before it. The evidence from which these inferences are drawn may be found on R/3/1/191: ff 101, 104, 108 and 109. See also footnote 1 above and No. 539, note 1.

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*Lord Pethick-Lawrence to Field Marshal Viscount Wavell**Telegram, L/PEJ/10/84: ff 17-21*

MOST IMMEDIATE

INDIA OFFICE, 1 November 1946, 1.30 am¹

CONFIDENTIAL

No. 19337. Your telegram 2280-S.² United Provinces situation.

2. I have consulted Prime Minister and colleagues. We are most anxious that a settlement should be reached and hope that Wylie will make every effort to

¹ Received in New Delhi on 1 November at 11.45 am. P.S.V. then repeated it to Lord Wavell in Bengal. R/3/1/191: f 101. ² No. 533.

do so in his discussion with Pant tomorrow. If it proves impossible to reach settlement with Pant tomorrow Wylie should at any rate get Pant to postpone question of his resignation until a further attempt at an accommodation has been made. We should like to suggest possibility that accommodation should be reached on basis that regulations be amended after due discussion so that Ministers can correspond direct with district police officers provided copies are sent to I.G. and he receives also copies of replies. Possibly this might be restricted to senior police officials.

3. As regards Measures personally it seems to us that, though Home Minister was undoubtedly in the wrong in the first place, Measures has put himself in a most unfortunate position by making two errors of judgment. First is that when Ministers began to correspond direct with his subordinates he did not raise matter with Governor or Prime Minister but issued on his own authority an instruction which in effect countermanded Ministers' actions and was bound to be most offensive to them. Secondly, after interview with Prime Minister he resigned giving as his ground fact that he felt he had lost Ministers' confidence. As regards first error we feel it was a failure to recognise the consequences of the transitional conditions in which India is being governed though we recognise the great importance in its relation to discipline of Police of the point of procedure which was involved. As regards second it seems to us to be most difficult to justify refusing to accept resignation offered on such grounds when Ministers themselves say I.G. has in fact lost their confidence.

4. It is our considered judgment that this case must not be allowed to come to the point at which U.P. Government resign as this would break down the whole of the policy we have been pursuing. It would be an impossible situation if U.P. had to be governed under S.93 or if Congress resigned at Centre.

5. It might perhaps be possible in view of our suggested agreement to amend regulations so as to meet wishes of Home Minister to retain Measures, as I.G. especially in view of his expressed willingness to apologise and withdraw his circular. Alternatively we suggest that possibility be explored of exchanging Measures with I.G. from some other Province.

6. We do not agree with you that to give way on this case means that my protection of the Services is proved to have ceased. Measures' case is differentiated by the two errors we have referred to and it appears to us to be impossible to push the protection of Members of the Services to the point at which a responsible Government is compelled to retain in a leading administrative position an officer in whom they have no confidence and who has tendered his resignation on that ground.³

Repeated to Governor of United Provinces.

³ Lord Wavell replied on 5 November in tel. 2328-S. This telegram will be printed in Vol. IX.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

L/E/8/4120: ff 198-202

INDIA OFFICE, 1 November 1946

I have been giving some consideration to the question of the policy which we should follow in existing circumstances in regard to the commercial safeguards and a possible commercial treaty with the Government of India. I shall have to submit this problem to the India and Burma Committee of the Cabinet, but before I do so I should very much value your personal views by telegram as to the course which we can best follow.

2. Our position hitherto has been that, after a new Indian Government has been set up under a new constitution, we would be ready to enter into a full-dress commercial treaty with them, negotiated as between equals, covering the rights of United Kingdom interests in India, and that pending the repeal of the Government of India Act the existing commercial safeguards would remain in operation. This, however, is open to the objections that—

(a) Your present Ministers are presumably bound to make an attack before long on the commercial safeguards. This might take the form of increasingly overt discrimination in the executive field, which under the existing provisions would call for your intervention, or that of the Governors if the discriminatory action in question is taken by Provincial Ministers. The aggrieved United Kingdom interests would press me to secure their protection and, so long as the statutory position remains as at present, you would I think be under an obligation to raise the matter on each occasion with the Indian Ministers concerned; since acquiescence in a flouting of the safeguards would mean abandonment of a duty imposed by the Act, and would incidentally militate against the subsequent use of the safeguards as a bargaining counter in the negotiation of arrangements for their replacement. I recognise, however, that you could not press the matter without risk of a breach with your Ministers. The dilemma is a very serious one. There is, I suppose, also the possibility that your Ministers may at some stage, without reference to any specific case, come out into the open and say that unless the Government of India Act is amended by the repeal of Sections 111-121, they will resign.

(b) There is the further disadvantage that even if the safeguards were to remain in effective operation until the replacement of the existing Government of India Act by a new constitution, there would be a period, before the negotiations for a commercial treaty could be completed, in which United Kingdom interests in India would have no protection whatsoever. This period might be

quite a long one: indeed, we might find that a completely autonomous Government of India would not be ready to sign a commercial treaty of the sort which we could accept.

3. It has been suggested that in order to reduce these dangers we might start negotiations for a commercial treaty fairly soon, with a view to its signature with a completely autonomous Government as soon as possible after it is installed under the new constitution. This might make it less likely that the present Government of India will attack the safeguards, although it would not remove this danger. It might also reduce the time elapsing between the repeal of the Government of India Act and the signature of the commercial treaty, although there would be likely to be an awkward gap; and indeed there would be no guarantee that the projected treaty would in fact be signed for a long time, or perhaps at all. But we could not be confident that the people with whom negotiations were conducted would be in substance the same as those who would compose the future completely autonomous Government and with whom it would rest to sign and honour the instrument. Moreover, the form and contents of any such treaty will to some extent turn on the structure of the new Indian constitution. If India is partitioned we should need two (or more) treaties instead of one and if India secedes from the Empire we could offer her less and correspondingly could expect less from her. Indian negotiators also might have difficulty in deciding what commitments they could enter into until they have a clearer idea than they can have at present of the future distribution of powers in industrial and commercial matters between the Centre and the units (or groups of units). In any case I suppose that the minds of your Indian Ministers are at present far too full with more pressing problems to enable them to devote much attention to the negotiation of a comprehensive commercial treaty, which is a most complicated affair.

4. In these circumstances I have been considering whether to recommend to my colleagues that we should, as soon as possible, suggest to the present Interim Government of India that they might now negotiate with us an interim Convention, which would remain in operation pending the negotiation and signature of a full-dress commercial treaty by their successors under a new constitution. This interim Convention would provide in general terms and on a reciprocal basis for the protection of United Kingdom commercial interests in British India and of Indian commercial interests in the United Kingdom. In return for such a Convention we might undertake to ask Parliament to repeal the commercial safeguards now contained in the Government of India Act.

5. This might forestall an attack by your existing Ministers on the commercial safeguards, gain for us the initiative, and possibly enable us to free ourselves with dignity and perhaps profit from the troublesome obligation of having to attempt to enforce the commercial safeguards. We could use the

commercial safeguards as a bargaining counter, which of course we cannot do in negotiations for a treaty designed to come into force after the repeal of the Government of India Act. We should avoid any gap between the time when the commercial safeguards either atrophy (owing to your inability to enforce them) or disappear (by reason of the repeal of the Government of India Act) and the coming into force of a full-dress commercial treaty. I should hope that your present Ministers might be ready to sign, without too meticulous a negotiation, a Convention of this sort which purports to be of a temporary stop-gap nature, is expressed in fairly general terms, is as brief as possible, and secures for them the repeal of the commercial safeguards; whereas we can, I presume, be certain that they would be reluctant to negotiate a full-dress commercial treaty at present.

6. There is, however, the consideration that, if we offer to amend the Government of India Act in regard to the commercial safeguards, in advance of the conclusion of the Constituent Assembly, we render ourselves more vulnerable to pressure from your Ministers to undertake the amendment of the Act in more fundamental respects, e.g., the reserved powers of the Governor-General and the Governors as a whole. I should be grateful if you could let me know how real you think this danger is, and whether you consider that it would be accepted that the commercial safeguards stand in a rather special category, as being the only Sections of the Act which are specifically directed at the protection of United Kingdom interests, or alternatively that any embarrassment involved in defending such a position would be a reasonable price to pay for a solution of the safeguards dilemma.

7. I should also be grateful if you could let me know how you think that the matter can best be broached to your Ministers if it is decided to try to secure an interim Convention. Would you think it best that you yourself should tell Nehru that, if he thinks that the proposal has merits from his point of view, we would be ready to instruct Shone to pursue it, or do you think that it would be best for the first soundings to be made by Shone himself?

8. As I have said, I shall have to submit this matter to my colleagues and I do not know what view they will take. I may find difficulty in getting their agreement to undertaking to ask Parliament to amend the 1935 Act in this respect, and also great difficulty in finding Parliamentary time for such legislation, more particularly if it had to be enacted during the 1946-47 Session. It may be felt to be too difficult to attempt to amend the Act so near to the time of its final repeal.¹

Yours sincerely,

PETHICK-LAWRENCE

¹ Lord Wavell replied to this letter in tel. 2462-S of 23 November which will be printed in Vol. IX.

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Lord Pethick-Lawrence to Field Marshal Viscount Wavell

L/PO/10/23

PRIVATE AND SECRET

INDIA OFFICE, 1 November 1946

Received: 8 November

Thank you for your letter of 22nd October.¹

2. It was a great relief to us that you succeeded in getting a settlement on the Portfolio question. It is always surprising in this business how what appears to be a major obstacle quite suddenly disappears and what looks like a comparative molehill suddenly becomes a mountain. On the abstract merits I suppose that the Muslim League have not done too badly, but of course the Home and Defence portfolios are of special importance in the present communal situation. Congress obviously recognise this and it is surprising that Jinnah did not put up more fight for one of them. It looks, however, as if the League had decided to come into the Interim Government on any terms short of humiliation. It is a great pity that they did not recognise the necessity of doing so last July. I cannot feel that Liaquat is very appropriately placed in the Finance portfolio, but I dare say he will do it adequately.

3. I am very glad you are making this tour in Bengal. I hope you will send me your first-hand impressions. It seems quite clear from Burrows' situation reports that the Hindus and particularly the Hindu Mahasabha have spared no effort of exaggeration to work up the Eastern Bengal disturbances as a means of inflaming anti-Muslim feeling. The telegrams I have been receiving are most intemperate and constantly attack Burrows for failing to use his special responsibility. No doubt you yourself and the members of your Government have received much larger postbags of the same sort and I can understand that this must be difficult for your colleagues to endure in silence. It is most unfortunate that the Bengal situation should have got worse just as the Muslim League entered your Government. Noakhali seems now to be in hand, but Calcutta is clearly still in a dangerous condition.

4. I recently telegraphed to you the substance of certain messages² sent about foreign affairs by Krishna Menon to the *National Herald*, which contained some pretty tendentious stuff. There seems to be an impression gaining ground here that Krishna Menon aims at succeeding Runganadhan as High Commissioner and the Interim Government's mouthpiece in London. I gather that such an appointment, in which of course the initiative rests with your Government, would not be well received here, particularly at the Foreign Office, and if the

suggestion were made to you by Nehru or one of his colleagues it might be as well to warn him that it would have a cool reception here.

5. I was of course interested to see the press cutting from *The Statesman* reporting an interview with Sudhir Ghosh in Calcutta.³ I need hardly assure you that I never said anything to Sudhir Ghosh which would be any justification for the suggestion he is reported to have made.

6. I feel that you, personally, should be given the background to the policy to be followed by the United Kingdom Delegation to the General Assembly of U.N.O. on the question of India's complaint against South Africa.⁴ The matter was discussed in Cabinet at the end of last week upon a memorandum by the Foreign Secretary which recommended that, if all efforts to promote conciliation and a settlement out of court before the issue actually came up for debate should fail, the United Kingdom Delegation should explain that they did not intend to express a view on the merits of the Indian complaint but would confine themselves to discussion on the propriety of that complaint in view of Article 2 (7) of the Charter.⁵ They should go on to say that, as the Indians concerned were almost entirely South African nationals, the matter was covered by Article 2 (7). The Dominions Secretary submitted a memorandum strongly supporting the policy recommended by the Foreign Secretary but I felt bound to record my dissent. I pointed out that our conduct in relation to this very delicate situation was going to be of the greatest importance in determining—

- (a) Whether those who were now members of the Government of India can be brought to believe that there is room for India within the British Commonwealth on a basis of equality and community of interests, and
- (b) The extent to which India will be drawn further and further into association with the U.S.S.R.

I welcomed the prevailing agreement that our representatives should not intervene in the merits of the dispute and urged that all members of the Delegation should be instructed to make their neutrality absolute, not only at formal meetings but also in the Lobbies and in their unofficial contacts. Furthermore, whilst recognising that there were good reasons why we should not stand aside while the interpretation of the Charter was being discussed, I recommended that our delegates should confine themselves to stating that, since the dispute lay between two members of the Commonwealth, we would take no part at all in the discussions and suggested that, if, despite my recommendation, the Cabinet endorsed the policy recommended by the Foreign

¹ No. 492. ² L/P&J(S)/File 49 of 1928.

³ See No. 534, para. 13.

⁴ Papers on this subject are on L/E/9/1403.

⁵ Article 2 (7) of the Charter reads: 'Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.'

Secretary our representatives should at the same time be instructed to say that, whilst His Majesty's Government regarded the Indian claim as disqualified under Article 2 (7) of the Charter, they hoped that South Africa and India would find it possible again to consult on this matter between themselves as they had in the past done successfully.

7. As I expected, the Cabinet endorsed the policy recommended by the Foreign Secretary but at the same time they directed that all members of our Delegation should be instructed to avoid expressing any view on the merits of this dispute not only at formal Meetings but also in unofficial contacts. My further suggestion with regard to direct consultation between South Africa and India was not formally endorsed but I have since written to the Foreign Secretary about it and hope that an opportunity of making the point will present itself.

8. From what I hear, this troublesome issue may well figure prominently in the discussions in New York.

9. The results of the discussions with the Ministry of Food about the Indian food situation foreshadowed in paragraph 14 of my letter of 4th October⁶ were even more meagre than we at first expected, and in the end we only succeeded in obtaining the diversion to India of two ships from the United Kingdom food programme from the River Plate. It was found impracticable to ship any Canadian barley to India except at the expense of shipments of wheat to the United Kingdom and other countries which are already far behind schedule. I therefore felt obliged to put in another Paper⁷ to the Cabinet last week⁸ warning them that on the basis of imports at present in sight, and even assuming that all supplies held up in the United States by the maritime strike could be shipped in time for December arrival in India, there was a grave danger of famine conditions developing over wide areas in India in November/December. I also pointed out that the period of acute food shortage would now inevitably extend into the New Year and that India would in any case continue to require large wheat imports until her rice imports returned to normal.

10. The seriousness of the food situation in India is fully appreciated by the Cabinet but unfortunately the United Kingdom is in no position to offer any further help out of her own resources. At the same meeting⁹ last week the Cabinet had before them a memorandum by Strachey on British food supplies⁹ and this subject has again been on the agenda this week. Strachey and the other Ministers concerned are seriously perturbed about the cereals situation in this country and also in the Far Eastern Colonies and the British Zone of Germany. Owing to transport difficulties on the Great Lakes and on the railways in Canada wheat movements there are so far behind schedule that there is a danger that supplies may fall below even what is required to maintain

the present bread ration in the United Kingdom during the period when the St. Lawrence is closed to navigation. Largely as a result of the failure of rice procurement in Siam it has been impossible to raise the cereals ration in Malaya and other Colonies above a bare subsistence level and, even so, they are existing precariously on a hand to mouth basis. In Germany, unless the United States agrees to pool the resources of the British and American Zones, the United Kingdom cannot possibly find the supplies necessary in the immediate future to meet the ration in the British zone.

11. The only source to which we can now look for any substantial alleviation of this situation is the United States. But the American programme for exports of cereals during the last quarter of 1946 includes only 16,000 tons for the United Kingdom, 140,000 tons for the British Zone of Germany, 42,000 tons for British Colonies in the Far East and 59,000 tons for India as compared, for example, with 425,000 tons for the United States Zone of Germany, 390,000 tons for Japan and 120,000 tons for Italy.

12. For your own personal information I would add this. As the discussions which British officials in Washington have had with the United States Department of Agriculture about this American programme have not got us anywhere, it has become clear that another high level approach must be made to the Americans. The Cabinet have decided that the best method of dealing with the problem in the first instance would be for Bevin, who is now on his way to America, to raise the matter with Byrnes later this month after the elections in the United States and emphasise to him the unfortunate political consequences which are bound to result unless the United States is prepared to allot a fairer share of their supplies to the United Kingdom, to areas of direct United Kingdom responsibility, and to areas such as India and the British Zone of Germany in which we have a special interest. I am taking steps through the Foreign Office to ensure that the British Embassy at Washington is adequately supplied in advance with background material on the Indian food situation and on the potential political and military consequences of famine in India so that there will be no danger of India's claims being lost sight of in any talks that Bevin may have with the Americans on the world food situation.

13. You will recall that in my letter of 6th September¹⁰ I discussed a possible definition of the field within which it might be necessary to exercise the powers of direction and control vested in myself and Parliament and exercisable through you, and that I mentioned the instructions to the United Kingdom High

⁶ No. 410.

⁷ C.P. (46) 395 of 21 October 1946. R/30/1/8: ff 105-6.

⁸ The Cabinet discussion took place on 25 October 1946. (C.M. (46) 91st Conclusions, Minute 1.) *Ibid.*: ff 113-16.

⁹ C.P. (46) 396 of 22 October. *Ibid.*: ff 107-12.

¹⁰ No. 271.

Commissioner as one reason why it might be desirable to reach an understanding on this point. In the light of your 1997-S,¹¹ I agreed that we would not pursue this either generally (my No. 17885)¹² or in relation to the High Commissioner's Directive (my No. 17834).¹³

14. These conclusions still stand so far as any formal instructions to Shone are concerned, but naturally we have not been able to ignore the subject in the course of the informal talks which are now taking place with a view to putting him in possession of the general information and guidance which he will require, bearing in mind especially that at the outset he will be operating in a sphere unfamiliar to him. I enclose a copy of a note on 'Subjects Requiring Special Caution' which has now been supplied for his personal and secret information and which has been amplified in oral discussion. He understands, of course, that this is merely to assist him in shaping his course and is not to be read as laying down categorical or exhaustive rules. He intends in any case to discuss the matter with you on his arrival.

15. We have also shown him my telegram No. 17834 and your reply No. 2115-S,¹⁴ so as to put him on his guard against the possibility of attempts being made to use the High Commissioner channel excessively.

16. I was sorry to learn from your telegram No. 2246-S,¹⁵ that, in spite of all your efforts, it had not proved possible to obtain agreement on the submission of recommendations in respect of the forthcoming New Year's Honours List. I authorised a full reply¹⁶ to your telegram yesterday and trust that the information provided will enable you to submit definite recommendations on the basis of which an approach can be made to the Palace.

17. I saw Glancy a few days ago, on his return to this country. We had an interesting talk but he did not throw much new light on the Indian situation. This illustrates the great volume of water that has flowed under the bridge since he vacated office.

Enclosure to No. 541

SECRET

UNITED KINGDOM HIGH COMMISSIONER IN INDIA

Note on subjects requiring special caution

There are a number of subjects which it may be advisable (as a general rule and subject to *ad hoc* decisions in particular cases) for Mr. Shone to keep clear of, usually because questions arising under them are not such as would naturally arise between the U.K. and a Dominion (or a foreign country) but potentially involve the Secretary of State's powers of direction and control. It is not intended that the High Commissioner should be—and it would be prejudicial to his

position if he should appear to be—a part of the machinery for exercising, or considering the exercise of, such powers. Mr. Shone might therefore be advised (personally and secretly) to the following effect.

If asked by the Government of India to take up some matter that appeared to be within the range in question, not being a matter of great importance, he might suggest to them that they should deal with it Government-to-Government, i.e., direct with the Secretary of State for India and endeavour to lead them so to deal with it. In matters of importance or likely to lead to serious controversy, or in doubtful cases where he felt the need of guidance, he might consult the Viceroy as to whether he should take the matter up or should endeavour to get the Government of India to pursue it with the Secretary of State for India either direct or (according to the nature of the case) through the Viceroy. It would remain open for the Secretary of State for India, if this seemed to him more appropriate, to pursue through the direct Government-to-Government channel or through the Viceroy a matter on which a communication had reached him through the High Commissioner, in which event the latter would, of course, be kept fully informed. A settled course of procedure would thus by degrees be able to be formed.

A similar principle would naturally be followed if the approach to the High Commissioner was made not by the Government of India but by some other interested party; and also if what was at issue was not a communication to His Majesty's Government but a question of entering on discussion or committing himself to any action or line.

The following is a tentative list of subjects to which the above observations apply:—

- (1) Composition and powers of the Interim Government; the Constituent Assembly; and other major constitutional issues.
- (2) Present and future relations of the Crown with Indian States.
- (3) Matters relating to the exercise by the Governor-General and Governors of their constitutional powers. (Some of the following entries are particular examples of these.)
- (4) Measures for the maintenance of peace, law and order.
- (5) The control, disposition, etc., of the Armed Forces (especially British) in India.
- (6) The protection of the interests of minorities.
- (7) The protection of the rights of persons appointed to the Civil Services by the Secretary of State and of British Officers of the Indian Defence Forces.

¹¹ No. 352. ¹² No. 405; the reference should be to tel. 17855.

¹³ No. 401. ¹⁴ See No. 401, note 5.

¹⁵ Of 26 October. L/PO/12/Temp. No. 10: 'Awards of Honours and Titles to Indians'.

¹⁶ Tel. 19329 of 1 November. *Ibid.*

- (8) The protection of the interests of holders of Government contracts, securities or other such obligations incurred by previous Governments of India.

NOTE:—

(a) Mr. Shone will no doubt be advised as a general rule not to appear to be in too constant touch with the Viceroy, and therefore to consult him, whenever possible, through personal contacts with his staff or by correspondence rather than by interview.

(b) Foreign affairs have not been included specifically in the above list, but presumably it will be explained to Mr. Shone that any question of the exercise by the Governor-General of his ultimate constitutional powers in relation to foreign affairs must be handled by us through the Viceroy. This would, of course, include *inter alia* measures to secure the fulfilment by the Interim Government (against their will) of treaty obligations with foreign powers entered into by His Majesty's Government on India's behalf.

Appendix

Mr Abell to Mr Turnbull

L/PO/11/6: f 13

No. 609

THE VICEROY'S HOUSE, NEW DELHI,

17 July 1946

My dear Frank,

Please refer to your letter of the 8th October 1943 to Jenkins,¹ enclosing a note about the arrangements for telegraphic correspondence between the Secretary of State and the Viceroy or Departments of the Government of India. The formula "Viceroy should see", or "Viceroy has seen" as the case may be, proved unpopular with Members of the late Council, and is likely to be distasteful to Members of an Interim Government. You will remember that at the informal discussion between representatives of the India Office and the Machinery of Government Committee held in Delhi on June the 26th, in paragraph 8 (6) of the record of the meeting,² it was recommended that the practice of so marking telegrams should cease.

2. H.E. accepts this recommendation, and, if the Secretary of State agrees,³ the use of these suffixes will be discontinued and departments here informed.

3. It will of course always be possible for the Secretary of State to draw H.E.'s personal attention to an official telegram by a separate communication.

Yours sincerely,

G. E. B. ABELL

¹ L/PO/11/6: f 108. See Appendix to Vol. IV for documentation on this subject.

² The record of this meeting is not on L/PO/11/6.

³ The Secretary of State did agree. Clauson to Abell, 1 August 1946. *Ibid.*: f 11.

Glossary

ADIBASIS Tribal people originating in central India.

AHRAR *Lit.*: free, free man. Militant pro-Congress Muslim political and religious organisation founded in 1928.

AKALI *Lit.*: worshipper of the eternal one. Particularly strict devotee of the Sikh faith. In modern usage, a member of the extreme Sikh nationalist party.

AKHAND HINDUSTAN A militant Hindu slogan meaning 'indivisible India' in opposition to the Muslim League's demand for Pakistan.

AKHARA A band of singers.

ARYA SAMAJ Hindu reform movement founded by Swami Dayanand Saraswati (1824-83).

ASHRAM Hermitage; retreat for research and study.

BABU A title of respect equivalent to 'Mr', in use especially in Bengal. Applied derogatorily to denote a clerk.

BANIA Hindu trader or shopkeeper, usually also a money lender.

BAPU Father, a term applied affectionately to Gandhi.

CRORE 100 lakhs or ten million.

DAL Organisation, association.

DIWALI Hindu festival; the festival of lights, held on the fourteenth day of the waning moon of Kartika (September-October).

DIWAN (DEWAN) Minister; in Princely States, Chief Minister; also Council of State; also used as a personal title of respect.

DOMES A low caste, often employed as sweepers.

FATWA The written verdict of a Muslim law officer, a judgement or judicial decision.

GEHAZI (GHAZI) A Muslim fighter, hero, especially one who fights against infidels.

GIANI (GYANI) Title of respect accorded to one learned in the Sikh religion and scriptures.

GOONDA Hooligan.

GURDWARA Sikh temple.

GURKHA Ruling race of Nepal.

GURMUKHI The script in which the Punjabi language is usually written, reputed to have been invented by Guru Nanak (*see* SIKH); used particularly by the Sikhs.

GURU Spiritual adviser, religious preceptor; for Sikh Gurus *see* SIKH.

HAMSAYA A neighbour, sometimes with the implication of inferior status.

HARIJAN *Lit.*: the people of God; term coined by Gandhi for the untouchables. Title of one of Gandhi's newspapers.

HARTAL Shopkeepers' strike, strike.

ID A Muslim religious festival or holy observance. *Id al-fitr* the festival of breaking the fast after Ramadan which fell on 29 August in 1946.

IMAM The priest who regularly leads the service in a mosque.

INAM Gift or reward by a superior to an inferior, especially applied to a grant of land free of payment of land revenue.

JAGIRDAR Holder of a *Jagir*, an assignment of land revenue.

JAI HIND Victory to India.

JAMIAT-UL-ULEMA *Lit.*: association of learned men. Pro-Congress Muslim organisation.

JAT The great agricultural caste (tribe) of north-west India found in Baluchistan, Sind, the Punjab, western United Provinces and Rajputana and comprising people of the Muslim, Hindu and Sikh faiths.

JATHA Company, party, organised band of people proceeding somewhere for the purpose of political demonstration.

JIHAD A religious war of Muslims against unbelievers

JHATKA A sudden jerk, cutting off the head of an animal with a single stroke; the meat of such an animal which alone is lawful for Sikhs.

-JI *Lit.*: life, soul. As a suffix to a name denotes affectionate respect.

JIRGA Council of elders.

JUMA PRAYERS Friday prayers.

KAFELA (KAFILA) A band of travellers, pilgrims.

KHADI Handloom cloth from hand-spun yarn.

KHAKSARS or Servants of the Dust; *Lit.*: like the earth, humble, semi-military organisation of Muslims armed with spades, under the leadership of Inayatullah Khan.

KISAN Peasant, cultivator.

KRISHAK PROJA PARTY Peasant People's Party.

LAKH 100,000.

LATHI Thick stick, usually bamboo, sometimes bound with iron rings.

MAHARAJADHIRAJA King of Kings, supreme sovereign.

MAHSUDS A Pathan tribe.

MAIDAN An open space, usually in or near a town.

MALIK Muslim title inferior to Khan and Amir. Chief man of one of the kinship groups into which PATHAN tribes are divided.

MARWARI Strictly, a native of Marwar in Rajputana; often settled elsewhere in India; usually a banker or merchant; loosely used for trader synonymously with BANIA.

MAULANA *Lit.*: our Master; title of respect accorded to Muslim judges, heads of religious orders and persons of great learning.

MAULVI (MAULAVI, MOULVI) Judge or Doctor of Law; title of respect often given to learned Muslims.

MILLAT Friendship, harmony. Also used to denote the whole Muslim community.

MOHALLA A quarter or area of a town.

MOHARRUM (MUHARRUM) The first month of the Muslim year, of which the first ten days are held as days of mourning by Shiah.

MORCHA *Lit.*: a ditch, entrenchment, sometimes used in the sense of a defensive battle position.

MULLAH Doctor of Islamic law, learned man, teacher; in India the term is applied to a man appointed to call to prayers or to read prayers in the mosque and also to a Muslim school teacher.

NAMASTAI (NAMASTE) *Lit.*: I greet you; salutations, respects.

PANTH A path, way of life, sect, religious order, used particularly of the Sikhs.

PANTHIC PARTY (SIKH) Formed spring 1946 in Punjab Assembly to resist idea of Pakistan.

PANTHIC PRATINIDHI BOARD Board representative of the Panth (Sikh Community).

PARSEES Descendants of Zoroastrian refugees who fled from Persia on its conquest by Muslims in the eighth century A.D.; chiefly settled in western India; distinguished as merchants, shipbuilders and traders.

PATHAN Generic name given to Pushtu-speaking peoples inhabiting North-West Frontier of India and Afghanistan.

PHULKIAN STATES The States of Patiala, Jind and Nabha whose rulers were all descended from a common ancestor, Phul.

PIR *Lit.*: an old man. A Muslim spiritual guide, a saint, a founder of a religious sect.

POOJAS (PUJAS) Hindu religious ceremonies; hence almost any kind of act of worship. Durga Puja (worship of Durga) is a Hindu festival and holiday period (especially in Bengal) lasting for ten days in October.

PURNA SWARAJ Complete self-rule, independence.

QUISLING A collaborator, traitor. Derived from the surname of Major Vidkun Quisling, a Norwegian who collaborated with the Germans when they invaded Norway in 1940.

QRAN (KORAN) The sacred book of the Mohammedans, consisting of oral revelations by Mohammed, collected and committed to writing after his death.

RAMAZAN (RAMZAN, RAMADAN) The ninth month of the Muslim year during which all Muslims fast between sunrise and sunset.

RASHTRIYA SWAYAM SEVAK SANGH (R.S.S.S.) The para-military arm of militant Hindu nationalism.

RED SHIRTS Members of an anti-government movement, closely allied with Congress, started in the North-West Frontier Province by Khan Abdul Ghaffar Khan.

SARDAR (SIRDAR) *Lit.*: a chief, leader. Title borne by all Sikhs, also by some Hindus and Muslims.

SARKAR (SIRCAR, SIRKAR) State, government, chief.

SATYAGRAHA The force (*agraha lit.*: firmness) which is born of truth and love (*satya*), or non-violence. The term applied to Gandhu's technique of passive resistance.

SHIA (SHIAH) *Lit.*: party, sect. The name given by other Muslims to those who believe that Ali, cousin and son-in-law of the Prophet, was his rightful successor.

SIKH *Lit.*: disciple. Follower of Guru Nanak (1469-1538), the first of the line of ten Gurus (religious preceptors) who formulated the Sikh faith and welded the Sikhs into an independent community.

SRIJUT (SHRIJUT, SHRIVUT) Same as the honorific *Shri* (*Sri*) used by Hindus to denote 'Mr'.

TABALJUNGS Drumbeaters.

TALUKDAR (TALUQDAR) Holder of a *taluk*, or proprietary estate.

THANA Police station, and hence area of its jurisdiction.

WAZIR The principal minister of a Muslim sovereign.

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Neither previous nor subsequent changes in office are listed unless they have an immediate relevance to the contents of this Volume. A list giving the names of principal holders of office in this period is to be found on pages xxxi-xxxiv.

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